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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. LATOURETTE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 7, 2003.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

We bless You and praise You, Lord God, for the colorful season of autumn. As the days grow shorter and the light dims, we face the inevitable winter. Among the falling leaves You seed the Earth with hidden life. Amidst the dying You are already planting a future. Washed deep by rain and snow, You nurture the promise. Help us to live through our abandonment to Your loving providence, that the sacrificial plans and the decisive ideas of this Congress may flourish with new life for America. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Tennessee (Mr. DUNCAN) come forward and lead the House in the Pledge of Allegiance.

Mr. DUNCAN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five 1-minute per side.

THE ECONOMY

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, as we prepare this morning to deal with one of

the most important pieces of legislation, the Department of Defense authorization bill conference report, which my friends, the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON), will be managing, I would like to take this 1-minute to talk about a different issue, and that is the report that we got this morning of the improvement in our Nation's unemployment rate.

We are so gratified that the policies that President Bush has put forward are working. We obviously have a long way to go, but based on the numbers as they used to exist, a 6 percent unemployment rate, which is where we are today, used to be considered full employment. Now, we obviously in the last several years have seen it drop to the 4 percent level, and we want it to get there.

But, Mr. Speaker, with the report of a 126,000 increase, nearly triple what had been estimated in the payroll numbers, we are on the track; and our policies of reducing the tax burden on working Americans to encourage economic growth and, yes, Mr. Speaker, our goal of free trade, opening up new markets for U.S. goods and services around the world and ensuring we have the opportunity for imports to come here, are beginning to pay off. Let us make sure that we stay on that track.

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□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H10981

DEMOCRACY BUILDING

(Mr. SNYDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SNYDER. Mr. Speaker, Stephen Kinzer, in his book, "All the Shah's Men," describes the events of the overthrow of the Iranian Government in 1953 in a coup staged by the United States and the British. President Truman did not support overthrowing the government of Prime Minister Mossadeq. In this picture taken in 1951 here in Washington, D.C., you can see his relationship with Mossadeq, who he respected as a nationalist. However, the Eisenhower government came in, President Eisenhower supported the coup, and the government was overthrown in 1953.

I thought of these events on hearing the President's speech yesterday calling for the spread of democracy in the Middle East. Stephen Kinzer in his interviews with Iranians asked them in the past what they had thought of American overtures talking about democracy in Iran, and their response was we had a democracy, but you Americans overthrew it.

We all support democracy and democratic ideals, but when it comes to remaking societies, Mr. Speaker, we should approach this with humility, realism, and a sense of history.

LT. COLONEL WEST SHOULD BE GIVEN MEDAL, NOT COURT MARTIALED

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, this coming Monday, Lt. Colonel Allan West is scheduled to face an article 32 hearing to see if he should be court martialed.

Colonel West is accused of threatening an Iraqi prisoner. According to news reports, Colonel West shot his handgun into a firing barrel and also fired it near this prisoner. He did not harm the prisoner in any way, but he apparently scared him into giving information that foiled an attack on American soldiers.

If these news reports are accurate, Colonel West saved many American lives. This is a man who has served honorably for almost 20 years in the United States Army. He should not be court martialed. He should be given a medal for saving American lives.

ECONOMIC GROWTH

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Mr. Speaker, if we needed any more proof of an improving economy following last week's outstanding economic growth figures, we just got it. The

manufacturing sector of our economy, which is important to so many States, including my home State of Michigan, appears to be turning around with a vengeance.

October's indices showed manufacturing expanding more rapidly than at any time since January of 2000. The report also showed new orders for manufactured goods, the key to future growth, are at their highest levels since 1999. Overall construction spending has reached its highest level ever. Existing home sales are at record highs. And, of course, this morning we got the greatest news of all: unemployment fell in October and the economy created 126,000 new jobs.

Every American should be happy. The Bush tax cuts are working; the economy is on the rise. But what is the response to all this good news from my friends on the other side of the aisle? More pessimism. More gloom and doom. Mr. Speaker, I am beginning to wonder if they view good economic news as good news at all.

DISABLED VETERANS TAX

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEFAZIO. Mr. Speaker, the disabled veterans tax: more than one-half million disabled veterans, career military, have their disability benefits offset dollar for dollar against their retirement. What does that mean? It means a retired master sergeant, 100 percent disabled, is taxed at a rate of 50 percent.

Now, the President rushed through relief for millionaires who had to pay a tax of 35 percent on the dividends they clipped off their stocks, and this House accommodated that, but he says there is no money to help out those disabled veterans. We cannot afford, the President says, to offset or reduce that tax or eliminate that unfair tax on our disabled veterans.

Well, that is pretty strange when we can do that for millionaires and billionaires; but somehow, as Veterans' Day comes upon us, we can only give a tiny bit of relief phased in over 10 years to some of these veterans who are subjected to this outrageous tax, despite the fact that almost every Member of the House is a sponsor of a bill to totally repeal it. But they are afraid to put their names from the Republican side on a petition to force that bill to the floor of the House.

Sign the petition. Have the guts to deliver for your veterans.

REPUBLICAN TAX RELIEF SPURS JOB CREATION

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, yesterday we learned that

jobless claims dropped to a 2½-year low, further signifying the success of the Republican tax relief championed by President George W. Bush. This follows last week's historic news that the economy is growing at the highest rate in nearly 20 years, as the GDP grew by 7.2 percent in the last quarter.

Last week was the fourth straight week in which jobless claims were below 400,000, as claims dropped to 348,000. In headlines across America today, Federal Reserve Chairman Alan Greenspan said of the decrease in jobless claims, that "the odds increasingly favor a revival in job creation." As Democrats continue to try to talk down the economy, the news of the recovery is just too clear to ignore: 126,000 new jobs in October were announced this morning.

Republican policies of tax relief, fiscal discipline, corporate accountability, and national defense to protect American families from terrorists have restored our Nation's confidence and promoted a healthy business environment.

In conclusion, God bless our troops.

THE ECONOMY

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, the economy is turning around: a 7.2 percent growth last quarter in the gross domestic product, the largest since Ronald Reagan cut taxes in 1984. The jobless claims have fallen. More people are working than ever before. Productivity has increased. Tax cuts work.

Why do they work? Because the more money a worker has in his pocket, the more money he is going to spend. When he goes out and buys more clothes, tires, or hamburgers, small businesses react by expanding their inventory. When they do that, they also hire more employees. When more people have jobs, more people are working, more people pay taxes, and less people are dependent on government welfare checks.

Tax cuts work. The best solutions are always seen in the private sector and not in government. I hope the next time when we have an opportunity to make these tax cuts permanent that we can get the Democrats, particularly those in the other body, to join us in making these tax cuts a permanent part of our Tax Code.

CONFERENCE REPORT ON H.R. 1588, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 437 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 437

Resolved, That upon adoption of this resolution it shall be in order to consider the

conference report to accompany the bill (H.R. 1588) to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

This morning, the Committee on Rules met and granted a normal conference report rule for H.R. 1588, the Defense Authorization Act for Fiscal Year 2004. The rule waives all points of order against the conference report and against its consideration.

In addition, the rule provides for 1 hour of debate equally divided and controlled between the chairman and ranking minority member of the House Committee on Armed Services.

Mr. Speaker, this should not be a controversial rule. It is the type of rule we grant for every conference report we consider in the House. And I want to especially give my thanks to the chairman and ranking member of this committee, because they have done a phenomenal job with this bill. It is a bill that sets an example for the rest of the committees in the House as far as working together and doing what is right for the country and what is right for our servicemen.

This legislation firmly shows our commitment to restoring the strength of our Nation's military. The conferees authorize \$400.5 billion in budget authority for the Department of Defense and the national security programs of the Department of Energy, which matches the President's request.

The legislation authorizes the funding necessary to defend the Nation and our interests around the globe. It contains important provisions, such as concurrent receipt pay for the Nation's veterans, commonsense environmental reforms allowing our troops to properly train, and important new benefits for military personnel and their families.

The Iraqi conflict and our continuing war on terrorism have brought a renewed and proper focus on national defense. We owe much to our men and women in uniform; and their success in Iraq and Afghanistan is a testament to their bravery, training and equipment, and their commitment to defend our freedoms. It is the means by which we meet our commitment to provide them a decent quality of life with an across-the-board 4.15 percent increase for military personnel, so as to sustain the commitment and professionalism of

America's all-volunteer armed services and the families that support them.

The pay raise will cut the pay gap between military and civilian jobs from 6.4 to 5.5 percent. This will be the fifth consecutive year that pay raises have exceeded that of the private sector.

For our active soldiers, the conferees increased the rates of special pay for those subject to hostile fire and imminent danger worldwide from \$150 a month to \$225 per month for the period beginning October 1 of 2003, through December 31 of 2004.

We also want to acknowledge where these active soldiers get the source of their strength. It is from their families here at home. And we are increasing the family separation allowance for servicemembers with dependents from \$100 a month to \$250 a month for the period October 1 this year through December 31 of 2004.

I also want to take a moment to personally thank the gentleman from California (Mr. HUNTER) for tirelessly fighting for the solid "Buy American Provisions" that are included in this conference report. That is extremely important to my State of North Carolina.

The ongoing war on terrorism dictates the need to have reliable domestic sources of weapons and equipment. Unfortunately, fewer American companies are designing and manufacturing the components and materials used in our military systems, as the U.S. industrial base is becoming more dependent on foreign sources. And this is a disturbing factor to me, as I know it is to the gentleman from California (Chairman HUNTER). We have got to be able to produce these equipment needs here in the United States so we are not at the mercy of some other country if they decide for some reason to cut us off.

However, I am very disappointed, and I know the chairman is too, that the conference report did not include a key provision that was passed by the House that would ensure that all the components of the Department of Defense uniforms come from American companies. The language specifically worked to more adequately cover domestic textiles and leather industries.

I would also like to congratulate my good friend and colleague on the Committee on Rules, the gentleman from Washington (Mr. HASTINGS), for authorizing the 1-year citizenship provision for our valiant servicemen and women. It reduces the length of service requirement for naturalization to 1 year. And I would also like to note that the ranking member on the Committee on Rules, the gentleman from Texas (Mr. FROST), worked hard on this issue as well.

On a positive note, I am extremely pleased and proud that H.R. 1588 establishes a payment program to simultaneously compensate disabled military retirees who were injured in combat for their full retirement pay from DOD and disability compensation from the Vet-

erans Administration beginning January 1, 2004. Over the next 10 years, this bill will provide concurrent receipt to more veterans than have ever been covered by current law. Our veterans have given deeply and heroically, and it is only fair we recognize their service.

So let us pass this rule and pass the underlying defense authorization conference report. At the end of the day, we will be making our homeland safer, and we will be supporting our sons and daughters serving in our military. We are also preparing for war, thereby ensuring victory. At this crucial time in our history, this bill is most important.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FROST asked and was given permission to revise and extend his remarks.)

Mr. FROST. Mr. Speaker, for all of my 25 years in this Congress, I have worked to strengthen America's military and to increase our national security. Like other defense proponents on both sides of the aisle, I have bent over backwards to put politics aside and work together to support America's men and women in uniform.

For instance, nearly 18 months ago, I introduced the Citizenship for America's Troops Act, a bill to help U.S. troops who are legal immigrants by easing the costly and burdensome obstacles that they face in the current citizenship process. Working with Democrats and Republicans in the House and the Senate, a good compromise was finally reached, one that is in this defense authorization conference report. It is not perfect, but it does provide much-needed relief to the more than 37,000 patriotic legal immigrants on active duty in the U.S. military, brave men and women who have been fighting and dying for a country in which they could not even vote.

This kind of cooperation and bipartisanship approach, Mr. Speaker, is fundamental to our efforts to keep America's military strong, especially at a time when so many Americans are losing faith in President Bush's ability to win the peace in Iraq.

While this conference report offers much to be proud of, Mr. Speaker, like the military pay raise and health care benefits for the National Guard and Reserves that Democrats have fought for, it also demonstrates how bipartisanship is becoming increasingly rare under this all-Republican government.

During the conference committee negotiations on this bill, Republican leaders shut out Democrats, including the distinguished ranking member of the Committee on Armed Services, the gentleman from Missouri (Mr. SKELTON), on some key areas of the conference. And the gentleman from Missouri will speak about those in more length. This is part of a clear and dangerous pattern by Republican leaders. We have seen it on the energy bill, the

Medicare bill, and the FAA bill; but it is extraordinarily disappointing to see America's national defense policy treated in such a partisan manner.

Moreover, the conference report itself contains several provisions where Republican ideology clearly trumped solid national defense policy. In the interest of time, I am going to just mention three examples.

First, why will President Bush and the Republicans not listen to the veterans and Democrats who are fighting to repeal the disabled veterans tax? Right now it penalizes nearly 560,000 disabled veterans, denying them \$3 billion in military retirement benefits each year. As the American Legion has said, Mr. Speaker, the right thing to do is repeal the tax for all service-disabled military retirees. Democrats have proposed a plan to do that; but Republicans, led by President Bush, continue to block it. In fact, in this bill, Republicans refuse to help almost 70 percent of those disabled veterans, Mr. Speaker.

So when Republican Members are at home for Veterans' Day celebrations next week, I hope they will be honest with the people about the provisions in this bill which provide only partial relief to only a fraction of America's disabled veterans. I hope they will explain that they did not think they could afford to restore military retirement benefits to 390,000 disabled veterans because they spent so much of the U.S. Treasury on tax breaks for the wealthiest few.

Second, does anyone really believe that national security requires that we gut landmark environmental protections? Of course not. But rolling back America's environmental protections is a Republican priority. So Republicans stuck into this bill provisions that attack the Endangered Species Act and the Marine Mammal Protection Act.

And, third, is it really necessary to weaken the workplace protections of 746,000 patriotic Americans employed at the Pentagon, the same people who responded so courageously to the September 11 attack on that building? And is it really necessary to eliminate the rules prohibiting patronage at the Pentagon? Of course not. But gutting important worker rights is another key Republican priority, and they are shamefully using this national defense bill to do it.

Fortunately, Mr. Speaker, there are some areas of this conference report where bipartisanship and sound defense policy have prevailed. These include the substantial quality-of-life improvements that Democrats have fought for. Those include a 4.1 percent increase in basic pay for all members of the Armed Forces, plus targeted increases for mid-grade and senior noncommissioned officers and select warrant officers to enhance retention. And they also include an increase in imminent-danger pay and the family separation allowance for U.S. troops serving in harm's way.

The conference report also builds on our efforts to support the National Guard and Reserves, who bear more and more of the burden of defending America at home and abroad. For instance, it ensures that when the Ready Reserves serve in areas where those on active duty get hazardous duty pay, they will too. And if members of the Ready Reserve cannot get health insurance through their employer, it gives them access to the same TRICARE system that serves the military.

Additionally, Mr. Speaker, I am pleased that the conference report includes my own legislation to make life easier for the Guard and Reserves, both active duty and retirees, and their families, by allowing them unlimited access to commissaries. They and their families are making great sacrifices for this Nation and they deserve our support.

Finally, the bill continues to make important investments in the wide range of weapons that ensure America's military superiority throughout the world. It includes full funding of \$4.4 billion for the F-35 Joint Strike Fighter, the next generation multirole fighter of the future for the Air Force and the Navy and the Marines. It fully funds the F/A-22 Raptor aircraft, the high-technology air dominance fighter for the Air Force, by providing \$3.5 billion for 22 planes, and it includes the full \$1.2 billion needed for the V-22 Osprey aircraft.

Mr. Speaker, all these important prodefense provisions have strong bipartisan support. They reflect the long-standing commitment of Democrats and Republicans to work together to ensure the U.S. military has the resources it needs. That is the type of bipartisanship and cooperation that our national security policy requires. It builds strong public support for a U.S. foreign policy here at home and ensures our troops have the resources they need to do the dangerous job we ask of them.

Unfortunately, Mr. Speaker, Republican leaders seem to have forgotten these lessons. And the President too often ignored them in the run-up to the war in Iraq, which is a big reason it will be so hard to restore President Bush's credibility and the public's confidence in his ability to win the peace in Iraq. The American people deserve better than that, and so do our troops in the field. I urge my Republican friends to remember that, especially as U.S. troops and U.S. taxpayers continue to shoulder almost the entire burden for rebuilding Iraq.

Mr. Speaker, I reserve the balance of my time.

Mrs. MYRICK. Mr. Speaker, I am very pleased to yield such time as he may consume to the gentleman from California (Mr. DREIER), our distinguished chairman of the Committee on Rules.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule and the underlying conference report which we are going to consider this morning.

I want to begin by thanking my friend, the former mayor of Charlotte, the gentlewoman from North Carolina (Mrs. MYRICK), for the fine work she has done not only in managing this rule but her important support of provisions in this measure dealing with concurrent receipt, making sure that those veterans who have been wounded and suffered will also receive their retirement pay. This I know was a very high priority for her. She also was very involved, Mr. Speaker, in addressing the Buy American Provision, which my very dear friend and classmate, the gentleman from California (Mr. HUNTER), the chairman of the committee, has pursued. And I believe that we have come to a reasonable compromise on it.

I am not in total agreement with the gentleman on this provision, at least the way he had originally had it, because I believe we need to focus on ensuring we get the best quality product at the lowest possible price for our taxpayers. But at the same time, obviously, we do want, as a first choice, to focus on, in the area of machine tools and other areas, American workers and American job opportunities here.

I want to say that there is another provision that my friend, the gentleman from Washington State (Mr. HASTINGS), worked on, and I know the gentleman from Texas (Mr. FROST) worked on as well, which is very important, and that is to ensure that we provide citizenship to those who have risked their lives and fought on behalf of the interests of the United States of America. I am pleased that the conference has in fact chosen to follow the direction of this House in ensuring that we have brought about the Hastings language on this. We know that President Bush strongly supports this as well, and I would like to congratulate him on this.

□ 0930

Mr. Speaker, this legislation is very important. As we opened the Committee on Rules meeting at 7 o'clock this morning, I said that if you look at most of the things that we do here in Washington, D.C., most all of them can be handled by State and local governments. We are obviously involved in health care and education and a wide range of areas, but clearly those are things that can be handled at the local level. There is really one preeminent issue that cannot be handled by a city, a county or a State government, and that happens to be the overall security of the United States of America and our interests overseas. And that is why I feel as a Member of this body very fortunate to have both the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) working hard to ensure that we have the very, very best defense for our Nation.

Now, I want to say that as I listened to my friend from Dallas go through his prepared statement on this he did end by talking about the fact that Democrats and Republicans alike stand together in support of a strong defense, but I have to disabuse my colleagues of the notion that was made that somehow Republicans are interested in gutting worker rights, murdering our environment. Nothing could be further from the truth, Mr. Speaker.

I will state that when it has come to the environmental issues, and I know the gentleman from California (Mr. HUNTER) will get into this as he has in our meeting upstairs this morning and he has repeatedly here in the well, he has talked about the responsibility to ensure that our men and women in uniform are not playing second fiddle to some obscure environmental priorities that one has. This measure, in fact, pursues a very balanced approach to environmental issues.

Similarly, this notion that we somehow want to plunder workers rights, that we want to gut the rights of workers, again, nothing could be further from the truth. This measure pursues a very balanced approach which focuses on worker rights. And so I want to say that I believe this measure is going to pass with strong bipartisan support.

As the gentlewoman from North Carolina (Mrs. MYRICK) pointed out, the issue of concurrent receipts is important for us to address, especially as Members prepare to go back to their States and districts and talk about the important sacrifice that has been made and, of course, as we think today, and the gentleman from Missouri (Mr. SKELTON) was the first one to report this to us in the Committee on Rules this morning, we heard the tragic news overnight of a Black Hawk helicopter that was downed and the loss of six lives.

We continue to live in a very dangerous world. And the chairman of the Permanent Select Committee on Intelligence, the gentleman from Florida (Mr. GOSS), I think made a point very clearly in our hearing this morning and that is that we need to take action now. We want to make sure that the conflict exists there and not here, and that is why this legislation is so important, so that we can in fact deal with those who want to do us in.

The training that continues to take place in the madrasas, which is virulently opposed to the United States and our Western values, the other kind of terrorist activity that we are seeing, we have to be prepared to deal with that.

Lives are being lost on a regular basis because of this battle against international terrorism, but with passage of this legislation we will be able to diminish the threat of loss of life and ensure that our men and women in uniform are equipped and compensated to deal with this very, very serious issue.

Mr. Speaker, I urge strong support of this rule and the conference report.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. SKELTON), the ranking member on the Committee on Armed Services.

Mr. SKELTON. Mr. Speaker, I rise in support of the rule and thank the gentlewoman from North Carolina (Mrs. MYRICK) and the gentleman from Texas (Mr. FROST) for presenting it this morning.

This was a difficult bill, and shortly we will talk about some bumps along the way. But, Mr. Speaker, we are at war. We must do our very best, and I think we have done a good job as it relates to the troops of the United States of America. They are superb. They are doing a good job. We must pay respect to them legislatively as well as to their families legislatively, and I think we have done that by the various items. The family separation allowance, the combat pay, the pay raise and all of these personnel items that we touched upon is our way of saying thanks for a good job well done.

So I support this rule. In the process I want to express my deep appreciation to everyone in uniform and to those families who support those in uniform. And, sadly, we have lost some and I hope that this is some consolation that we continue to support the American men and women who are wearing the uniform of the United States of America.

Mrs. MYRICK. Mr. Speaker, I yield 6 minutes to the gentleman from California (Mr. HUNTER), the distinguished chairman of the Committee on Armed Services.

Mr. HUNTER. Mr. Speaker, I thank the gentlewoman for yielding me time.

Let me congratulate my colleague, the gentleman from Missouri (Mr. SKELTON), my good partner on the Committee on Armed Services, and all the Members, Republican and Democrat, who helped to put this bill together. I want to thank the gentlewoman from North Carolina (Mrs. MYRICK), the chairman on the committee, the gentleman from California (Mr. DREIER), who gave us a lot of time and attention, and all the members of the Committee on Rules.

Let me just say a word or two about what this bill does because this bill makes what I consider to be some sweeping reforms and it is a great bill. It covers a number of major areas, and along with what I call the "people issues"; that is, the pay raise that has been mentioned, the additional monies for housing that brings down the amount that a service member has to pay out of their pocket, all of the things that go to quality of life for personnel. It also covers some major areas that have needed reform.

One aspect of that is what I call freedom to train, and today if you go to a place like Camp Pendleton, I have used that as an example, it has some 17 miles of shoreline. Only a very small area can actually be utilized for Marines who basically practice Iwo Jima. They practice assaulting a defended

beach area. They can only do that practice in a very, very limited area of about one kilometer because of environmental considerations. And if you go to bases around the country, rifle ranges, air space for our Air Force and our other services to undertake integrated training with multiple aircraft, all of that is being hindered and obstructed because of a collision with our environmental laws.

Now, we have an answer to that, and the answer is a management plan called an inramp, and that is where the military gets together with State Fish and Wildlife and Federal Fish and Wildlife and they make an agreement. They make an agreement and they say, okay, the habitat for the gnatcatcher will be over here, we will set aside this 400 acres, and the Marines will have this area for rifle training or the Army will have this area for tank training or the Air Force will have this area for aircraft training.

Once you make that agreement and you put it in place, it is not open for groups to come in and sue under the Endangered Species Act to close down that rifle range, to close down that tank range, to close down that air space that is so vital so that our people can survive in theaters like Iraq and Afghanistan.

So this is offered under the proposition that the real endangered species here is a 19-year-old Marine rifleman who needs the very best training that he can get here at home before he projects American power overseas, and in this bill we put together this balance between conservation and military requirements.

Also, with respect to allowing our submariners to utilize the best of their sonar devices that will keep them alive when they are in the littorals, in shallow water areas around the world, where they will be faced with very quiet diesel submarines which are now being proliferated in certain adversaries' navies. We say that, whereas before the standard was that if a mammal, maybe a sea lion, was potentially disturbed that military training could not take place in his neighborhood. Now we say he has to actually be significantly disturbed. He has to actually be disturbed or that disturbance has to be significant enough to alter the way he migrates or feeds or the way he goes about his daily life.

So we are trying to give as much value to the sailors' survival as we have given to the sea lions' survival. I think that is a good balance. In this case we put the sailor ahead of the sea lion. I think the American people want that.

With respect to personnel, right now we are facing a war that is a new war. It is a war in which we see terrorists with high technology. We have to be flexible. We have to move quickly, and that involves people who not just wear the uniform of the United States, it also involves people who wear the civil service uniform.

So we are empowering Mr. Rumsfeld with the ability to reshape his civil service so that instead of taking 4 or 5 or 6 months to go through the bureaucracy to qualify a civil servant to work at a job so you get to the point where you just direct a sergeant to go do it and he salutes and goes and does it, we will now be able to quickly move civil servants into that job. We will be able to hire them quickly, and when people show an extraordinary ability to work and an enthusiasm and dedication that rises above the community, that they will be rewarded for that. And we have tested these ideas in pilot projects around the country, and the members who have participated in the pilot projects have voted that they like it.

So we are undertaking important reforms in this bill. We are giving the military the tools they need to fight this new type of war. I would urge everyone to support the rule and support the bill.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from California (Ms. HARMAN).

Ms. HARMAN. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, as the ranking member of the House Permanent Select Committee on Intelligence, I am a conferee on the Defense Authorization Act. Virtually all of the funding for intelligence is contained in this bill.

This bill is far from perfect. Like a number of conferees, I am enormously concerned about developing bunker buster nuclear weapons, weakening nonproliferation programs, and an assault on collective bargaining, all of which is unfortunately part of this legislation.

Nonetheless, I signed the conference report and I intend to vote for final passage. The lives of American soldiers, sailors, airmen and women, Marines and civilians are on the line in Iraq and in the global war on terrorism. Accurate and actionable intelligence is vital if we are to prevail, and I intend to do everything I can to provide our forces with the best intelligence possible.

The funds in this bill meet important intelligence needs vital to our Nation's security and, in contrast to the recent \$87 billion supplemental, these funds come through the regular budget process.

Still, the following needs to be said: The Permanent Select Committee on Intelligence on a bipartisan basis has identified serious shortcomings in the prewar intelligence on Iraq's weapons of mass destruction and ties to terrorism. Sketchy and often circumstantial evidence produced estimates that likely were substantially wrong. At a minimum, I believe the Intelligence Community overstated the strength of the underlying data supporting the conclusions.

The Intelligence Community has yet to acknowledge any flaws in prewar intelligence. With American lives on the line now, the shortcomings in prewar

intelligence must be addressed now. A "lessons learned" study cannot await the conclusion of David Kay's ongoing WMD search. Regardless of what he finds, there were problems with collection, analysis and the way policy makers used the information.

I strongly support this bill's requirement of an Iraq "lessons learned" report by the Department of Defense due March 31 of next year. As a conferee on the intelligence authorization bill, I plan to push for an interim "lessons learned" report from the Intelligence Community on the same date as the military's report is due, and I hope that the gentleman from Florida (Chairman GOSS) will join me in this request.

Mrs. MYRICK. Mr. Speaker, I yield 4 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, I thank the gentleman from North Carolina (Mrs. MYRICK) for yielding me time.

Mr. Speaker, I also want to thank the chairman of the Committee on Armed Services, the gentleman from California (Mr. HUNTER), who has just gone through very difficult negotiations at a very difficult time. Some Members may not know that he lost his home to the California wildfires that swept through southern California. So I thank the gentleman from California (Mr. HUNTER).

This is good news. This defense conference report is good news for our young men and women who serve in the Armed Services and are required to carry out the will of this Nation overseas. We want to give them the tools necessary so they can do their job and come home safely to their families, and this bill provides many of the tools necessary for that to happen. It is also good news for our veterans in addressing the issue of concurrent receipts.

It is also very good news for the KC-767 program. This is a critical part of our defense program and it completes the circuit for the start of a new program in fulfilling a great need by replacing our KC-135's, the tanker fleet that we currently have.

□ 0945

For those who are not familiar with the KC-135, this is basically a gas station in the sky. It refuels other aircraft, and it is a very necessary link in projecting power for this country. Afghanistan and Iraq once again confirmed the necessity that in today's war on terrorism, we must have tankers to fulfill the role of carrying out and projecting power. The problem has been that they are an aging fleet. The average age of the KC-135s is 43 years. Can the Members imagine, Mr. Speaker, coming back and forth to work in a 1960 automobile? This is basically what we have asked our young men and women to do. The average age of 43 years is the equivalent of driving a 1960 Dodge Dart. And just like an older automobile would suffer from rust and need repair, these aircraft are suffering

from corrosion and have high maintenance costs. So the KC-135 must be replaced, and this is good news because this defense authorization conference report does that.

But, Mr. Speaker, I would like to place the House on notice that we will have to correct some of the problems that have been created by this agreement in the current legislation. The conference report changes the original plan for the KC-767. It changes the delivery rate and purchasing method that was supposed to save approximately \$4 billion, an estimated \$4 billion, but the short-term plan was shortsighted. It does create a long-term problem. I will submit for the RECORD the letter from Deputy Secretary of Defense Paul Wolfowitz outlining the plan to change the delivery schedule for the first 100 aircraft. It essentially changes it from a 20-per-year delivery rate to a 12-per-year delivery rate.

When we assume the total program of 400 aircraft, instead of ending this program in fiscal year 2025, it will now end in fiscal year 2039. That moves the midpoint of this entire program 7 years to the right. If we assume an average cost of \$150 million per aircraft and a 5 percent inflation rate, that is for increased labor cost, increased material cost, increased cost of money, it raises the cost of the entire program by 40.7 percent. So instead of 60 billion over 21 years for the KC-767 program, the Federal Government will have to spend approximately \$84.4 billion over 35 years.

What needs to be done? We are going to address the delivery schedule. It must be accelerated so that we can reach an optimum production rate and a lower cost per aircraft. We also need to provide adequate budget authority to serve the taxpayers with significant reduction in the cost of this program by accelerating the production rate. But over all, Mr. Speaker, this is a very good conference report, and it is going to be something that is going to help our young men and women as well as veterans. I support the rule, and I support the defense conference report.

DEPUTY SECRETARY OF DEFENSE,

Washington, DC, November 5, 2003.

Hon. JOHN WARNER,
Chairman, Committee on Armed Services,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Thank you again for your consideration of the Department of Defense's proposal to lease 100 KC-767A aircraft. As you know, there has been a vigorous debate on the best way to get this program started. Your most recent amendment would allow the Air Force to lease no more than 20 of the 100 tankers. The Air Force has developed a proposal to implement that arrangement, and I hope that you will find it acceptable.

Our proposal strikes a necessary balance between the critical need for new air-refueling tankers and the constraints on our budget. As reflected in the enclosed chart, we intend to lease the initial 20 aircraft and then buy aircraft at a steady rate of 11 to 13 aircraft per year until delivery of the 100th. We commit to add \$2.4B, in Fiscal Years (FYs) 2008 through 2010, to the funding profile for the original proposal to lease 100 aircraft. We also will add \$1.4B in FY 2012 to 2013. The

combination of these added funds achieves an immediate start to the program and allows us to purchase the last 80 aircraft at time of delivery.

I appreciate the support that you have provided in the past and look forward to working with you in the future. If you require further information, please do not hesitate to contact me. A similar letter has been sent to the chairmen and ranking minority members of each of the defense committees.

Sincerely,

PAUL WOLFOWITZ.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, I support this bill, and I am glad to see us put some quality-of-life provisions in it; and I commend the chairman, whom I have worked with for 20-odd years, for once again bringing a bill to closure.

I do have to call attention to the fact that this rule waives all points of order, which is typical; but in this case, as ranking member of the Budget Committee, I feel obliged to make my colleagues aware what it is we are waiving because it is not a good way to do business; it is not a good way to keep a budget.

This conference report contains two provisions that entail significant spending over and above the amounts allowed in the budget resolution. One allows concurrent receipt of military retirement benefits for retirees who also get VA disability benefits. The other commits the government to lease and purchase up to 20 or maybe even 100 new tanker aircraft.

No funds were added to this conference report to pay for either of these programs, and that is my problem. Between the two of them, they will entail new unfunded future commitments of approximately \$40 billion, \$22 billion for concurrent receipt, \$18 billion for 100 new tanker aircraft.

As a member of the Committee on Armed Services, I support the compromise on concurrent receipt, and I understand the need for new tankers; but I am concerned, and have to be, about the way we are doing this. The rule before us would waive the point of order that would otherwise lie against the conference report for some clear and substantial departures from the budget resolution that is supposed to be prevailing in this House.

We just finished the fiscal year 2003, Mr. Speaker, with the largest deficit in our peacetime history, \$374 billion. The deficit for next year, fiscal year 2004, is likely to break that by \$100 billion, even without the additional cost of these programs which are not included in any of CBO's or OMB's projections.

All I am saying is if concurrent receipt is a worthy benefit, and I think it is, then let us pay for it or at least let us recognize fully in the budget the cost of it. If we need these tankers, and I accept the arguments that we do, then let us pay for them. Let us make the argument and pay for them and set the priority in the budget. This bill does not do that, and this rule would

allow Congress to flout the budget resolution without facing up to these costs. If Congress feels that it is necessary to abandon the budget resolution that supposedly prevails in the House and further increases the deficit, then we ought to be accountable for that decision. But this rule would make sure that no Member of this body will have the opportunity to demand such accountability.

Let me tell the Members specifically the two problems in the conference report with respect to these items that give me trouble. The conference report phases in a compromised version of concurrent receipt. In 2004 this would increase direct spending by \$800 million. By 2013 this would increase annual cost to as much as \$3.5 billion. This provision would cost an estimated \$22 billion in additional direct spending over the next 10 years, none of which is provided for in the mandatory spending provisions of the budget resolution. That is why I call it a substantial departure.

There is another anomaly in the way concurrent receipt is treated. Since the mid-1980s, we have recognized military retirement costs through an accrual system that sets aside funds to cover the cost of retirement benefits we owe in the future for today's military service. The concurrent receipt provisions in this bill eliminate a reduction or offset in military retirement and thus increase military retirement benefits. Under current procedures, we should increase our accrual payments to account for the fact that we have just increased future spending on retirement benefits. This bill does not do that. It departs from a convention we adopted 20 years ago for reporting military retirement programs.

The conference agreement also includes language that was not in either bill to lease 20 tankers and then buy 80 more. In effect, what it allows is incremental funding, something we have not done for big procurement programs for a long, long time. It entails at least a liability of \$4 billion, maybe as much as \$18 billion, and yet none of this money is in the Air Force budget. None of this authority has been recognized. What we have here is an effort to obscure the fact that we are increasing the defense budget but not adding BA commensurate to the amount of the increase.

There are committees right now and next week railing against corporate misaccounting in this country and should be. But we should keep our own books in proper order in order to make such criticisms. This is not a way to budget. I support the bill and hope it does not constitute a precedent for the future.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I rise in strong support of the rule and of the conference report with a

deep sense of gratitude to the gentleman from California (Chairman HUNTER), as well as the gentleman from Missouri (Mr. SKELTON), ranking member, for their extraordinary and bipartisan leadership on behalf of that fundamental function of our Nation and this Congress to provide for the common defense and in meeting the urgent needs of soldiers in the field of today, our intelligence community, but also meeting the needs of those who have served in uniform. I believe this conference report goes a long way toward discharging that duty.

Mr. Speaker, in the survival of freedom we literally as American citizens owe our veterans everything. But in a world of limited resources, we can only in this Congress do the right thing. I rise specifically today on virtually the eve of Veterans' Day to point out how this Congress, thanks to the bipartisan leadership of the defense authorizing committee, is doing the right thing by veterans in the area of concurrent receipts.

Since arriving in Congress, I have heard from one veteran after another, men and women who had worn the uniform of the United States of America, about the injustice of losing disability benefits for which they were eligible as veterans at the time they reached the age of retirement. Thanks to this legislation, in most cases disability benefits incurred in uniform or earned in uniform will not be forfeited simply because a veteran reaches the age of retirement. The Good Book tells us if we owe debts, pay debts; if honor, then honor; if respect, then respect. By meeting the urgent needs of the defense of the Nation today, we pay a debt to those who risk and expend their lives in the advancement of our freedom. But by addressing the injustice of current veterans benefits, Congress today goes a long way toward paying the debt we owe to those we can never repay.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EVANS).

Mr. EVANS. Mr. Speaker, I thank the gentleman for yielding me this time and for his leadership.

I rise to point out that this conference report does not adequately address the needs of our disabled military retirees. Later today we will be considering a motion to recommit. And I strongly urge Members to support that motion and urge that we fix a tremendous injustice in this conference report.

The conference report provides no relief whatsoever to two-thirds of disabled veterans who are now paying the Disabled Veterans Tax. Further, it provides only limited relief from the unfair tax burden to those it does cover. Under this report, veterans with disabilities rated at 50 percent or more would have to wait 10 years before receiving their full military retirement pay. The vast majority of eligible veterans are left out. In fact, 400,000 veterans with disabilities rated under 50

percent would not receive any relief at all. In other words, some veterans who lost their limbs while serving their country are not considered worthy of relief after they get back to the States.

This is not "full concurrent receipt" as has been claimed. This is clearly not a victory for veterans. It is an attempt to divide and conquer veterans so as to deprive most retirees of their earned retirement benefits. A vote for the motion to recommit is a vote for full concurrent receipt and an end to the tax on our disabled veterans.

I urge all Members to vote for this motion and support what 374 Members have already said by cosponsoring legislation for full, not partial, concurrent receipt.

Mr. Speaker, I believe the veterans of our country are wise enough to make judgments about where they want to go, and I salute them for raising the issues that we have been dealing with the last few years.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I want to say right up front that I will vote for this defense authorization. The gentleman from California (Mr. HUNTER), the gentleman from Missouri (Mr. SKELTON), and a whole range of people have done an outstanding job to ensure the safety not only of the United States and our security but of those young men and women who are out there basically buttressing the pillars of civilization.

The gentleman from California (Mr. HUNTER) mentioned a little while ago that a 19-year-old rifleman ought to get the best training in the world. I agree with him 100 percent. I was a 19-year-old Marine Corps rifleman who worked with the Navy over a period of years, went into assaulted-fortified positions from Navy ships. So I personally recognize the absolute need, the uncompromising need, to ensure the best available training, the best equipment, the best of support that this country can offer to U.S. soldiers, sailors, Marine Corps, and airmen.

I would like to work with the Committee on Armed Services and the chairman and the ranking member. Over the next several months, the Committee on Resources will be reauthorizing the Marine Mammal Protection Act. The language in the defense authorization bill dealing with the marine mammals was something that we worked out. The language that is in the defense bill now, I think, goes beyond what is necessary. There are some issues dealing with small numbers versus negligible numbers. There are some issues dealing with confined geographic areas. There are issues dealing with permits. There are issues with civilian scientific research.

I think the model we can use for the marine mammals and the Marine training is laid out before us in this thing called INRMPs, Integrated Na-

tional Resources Management Plans, that there is consultation, there is collaboration with the Committee on Resources and the other agencies throughout the Federal Government. That model that deals with INRMPs, that assures those guys on the ground, that young 19-year-old rifleman, is going to get the best training, no compromise on that. And I would like to work with the Committee on Armed Services to deal with those issues over the next several months.

□ 1000

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, I thank the gentleman for yielding me time.

I rise to express my opposition to the conference report on the Department of Defense authorization bill. I want to pick up with where the last speaker finished. He said he thought in this bill they went a little further than was necessary in the area of the Endangered Species Act and Marine Mammal Protection Act. I want to say what I believe to be the case, that the problem with this bill is that it has been hijacked by the Republican leadership and the White House, who insisted on provisions that weakened environmental laws relating to the Endangered Species Act and the Marine Mammal Protection Act.

I am also the ranking member of the Committee on Government Reform, and I want to address the civil service provisions in this bill. I am not opposed to reasonable reform that makes the Federal Government function more efficiently and still protects the basic rights of Federal employees, but this bill is not reasonable.

Senator COLLINS developed a bipartisan compromise that safeguarded the collective bargaining rights of 700,000 DOD employees, yet gave DOD much of the flexibility it requested, but this bill abandons that compromise. This bill makes a mockery of labor relations at the Defense Department. At the same time that the bill claims to protect collective bargaining, it allows DOD to waive these requirements for the next 6 years. During these 6 years, the Department can run rough-shod over its unions. The Department can decide what issues will be bargained, how labor and management impasses will be resolved and whether it will discriminate against union members.

This bill also makes it harder for DOD employees to gain redress for unfair treatment. Currently employees have the ability to file appeals with the independent Merit Systems Protection Board, but under this bill employees first would have to go through an internal DOD appeals process. An administration that says it is against bureaucracy and red tape wants to create so much bureaucracy for employee appeals that employees will simply give up trying to protect their rights.

The bill removes requirements for DOD employees to receive overtime

pay or pay for working on holidays or weekends. This is ironic, since both the House and the Senate recently voted to protect overtime pay for private sector employees.

As the war efforts in Iraq have demonstrated, DOD employees do not work only Monday through Friday, 9 to 5. Frankly, it is shameful that Congress is going to give those employees who safeguard our national security less overtime protection than it gives private employees.

Finally, I have concerns about some of the provisions dealing with government-wide procurement policy. In particular, the bill extends to all civilian agencies something known as "other transaction authority" for research and development projects related to defense against terrorism. This would essentially waive all Federal procurement laws for these contracts. The bill also includes excessive waivers of procurement rules for contracts related to other anti-terrorism products and services.

It is wrong to take important must-pass legislation like the DOD authorization and load it up with right-wing policies that damage the environment and strip employees of basic rights, but that is what this bill is doing, and I am going to urge my colleagues to oppose it.

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I thank the gentlewoman from North Carolina for her leadership and appreciate her yielding me time.

Let me say that the gentleman from Florida (Mr. BILIRAKIS) for 18 years in this Congress supported legislation that would give concurrent receipt to our veterans; 18 years. People in this Chamber need to know that, because there are people here who have been present during that time, and during that time the people who are now saying that Republicans will not support our veterans need to remind themselves that not a one of them joined sponsorship for his bill while that was there.

Since I came to Congress, Mr. Speaker, I have been working to strengthen the Berry Amendment to help ensure that the Department of Defense use American manufacturers and products in its procurement programs. This past spring, and this good rule supports these efforts, I became very concerned when there was a blanket waiver issued for commercial aircraft.

Among other products, this largely jeopardizes our domestic titanium industry. The number of companies that currently comprise this industrial base has shrunk to three domestic producers of titanium. Maintaining this base is not only vital for our economy, but also our national security. We simply cannot be relying on the Russians and the Chinese, who are developing their own economies, to supply significant amounts of titanium for our Nation's defense.

The gentleman from California (Chairman HUNTER) has been tenacious in working to make sure that our industrial defense base is strengthened, not protected, strengthened, so that our national security is foremost.

I would like to yield to the gentleman from California (Chairman HUNTER) for his comments on this issue.

Mr. HUNTER. Mr. Speaker, will the gentleman yield?

Mr. HAYES. I yield to the gentleman from California.

Mr. HUNTER. Mr. Speaker, I thank my colleague, and we are going to describe during the general debate the great industrial base provisions, like the machine tool provision that we came out of this conference with, some excellent stuff.

But with respect to titanium, we know that we have three major makers of titanium left in this country. Otherwise, you have to rely on foreign sources. I want to thank the gentleman from North Carolina (Mr. HAYES) personally for putting together the working group between industry and the Air Force and Members who are interested, and putting together what we call the basket approach to titanium.

The basket approach says basically this: If you are going to take a domestic system, like the planes that are candidates for this tanker operation, and you convert them into a military system, right now the Berry Amendment says you have to use American-made titanium on American military systems.

We have agreed that since some of these civilian aircraft will have some foreign-made titanium, we got with the industry leaders and they agreed that they would take and require the same amount of American titanium, with in fact a 10 percent increase, and spread that across the rest of their lines to make up for the foreign titanium that was in those civilian aircraft. I have talked with industry leaders. They feel a strong commitment to that policy.

I want to thank the gentleman for putting that in place. I think it is going to accrue to the benefit of not only our tanker program, but also the health of the titanium industry.

Mr. HAYES. Mr. Speaker, reclaiming my time, I thank the chairman very much, and thanks again to the gentleman from North Carolina (Mrs. MYRICK). This is a great rule. It is for our troops, it is for our Nation, The spirit and intent of what we discussed is there.

Vote for this rule.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. DICKS).

(Mr. DICKS asked and was given permission to revise and extend his remarks.)

Mr. DICKS. Mr. Speaker, I want to thank the gentleman from Texas for yielding me this time.

Mr. Speaker, I rise in support of the conference report and this rule. I have

concerns about this bill, too. I represent the Puget Sound Naval Shipyard in Bremerton, Keyport, Bangor. Many of these work rules are very much deplored by the workers there, and I regret that they have been attached to this legislation, but we will continue to work to try and deal with them as we proceed in this session of Congress.

I want to rise in very strong support of the provision my friend the gentleman from Kansas (Mr. TIAHRT) talked about earlier, the question of tankers. I became interested in this issue several years ago with a visit to Tinker Air Force Base where we saw the condition of our KC-135-Es. I believe that this is a crucial national priority, to get a new tanker replacement program started.

The Air Force has chosen the 767. We have had a lot of controversy about whether we should buy or lease. We have come up with a combination here. The Secretary of Defense's office, led by Mr. Wolfowitz, sent a letter on Thursday, which has brought us together. I want to commend the Speaker, the gentleman from Illinois (Mr. HASTERT), for his dedicated leadership on this issue. Without his tremendous effort and tenacity, we would not have gotten this far.

I intend to have a colloquy later with the chairman of the committee when we get to the authorization bill on this matter, but I just want to say that I want to compliment everyone who has worked on this. For 2 years, we had to get an effort under way to get this replacement effort going.

Not to understate it, every single plane that flew into Afghanistan and into Iraq had to be refueled multiple times. Our whole effort to improve our bomber capability with the B-2 and smart weapons and all of the aircraft coming off of our carriers, Navy and Marine Corps aircraft, all of them had to be refueled multiple times. So you do not get anything done without tankers.

We have planes now, 544 of them, that were built between 1957 and 1963. These are very old aircraft. We have serious corrosion problems, and I am glad that this conference committee was able to come together and put together a package and that the administration has said they will make it work.

I believe this is one of the most important things we can do. If you think about it, tankers and the EA-6-Bs, which are also old and in terrible condition, are two weapons systems that have become absolutely fundamental to our U.S. ability to project power around the world. I am glad we can get this tanker thing moving forward and that it is in this bill.

I appreciate the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) for their leadership on this issue.

Mrs. MYRICK. Mr. Speaker, I reserve my time.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, I would like to express my deep disappointment at the failure to deal with challenges for one-half of our patriotic team in the war against terrorism. We have done some good things in here for our folks in the Armed Services, but for our civilian employees, who are a crucial part of our defense team, we are removing protections for overtime pay and other matters, and that is just abominable.

When I went out to greet with the gentleman from Washington (Mr. DICKS) the Carl Vinson when she came back from the Afghanistan war, I talked to the folks about their incredibly successful safety record of thousands of sorties without a loss, and they told me it is in large part because of the incredibly adept maintenance done on that ship by our civilian employees. This bill is a jab and a mark of disrespect for those civilian employees, who are every bit as patriotic as our folks in the Armed Services today, and there is no reason for this to have happened.

Now, this is just the first step in this effort. We are going to continue to work on this, that this effort of flexibility does not mean disrespect for our civilian employees. We are going to stay on it like a dog with a bone.

Mrs. MYRICK. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I rise in very strong support of this rule and the underlying bill which will follow immediately thereafter.

I want to just point out to my colleagues that the concurrent receipt victory that is in this bill is significant, it is profound, it is historic, and will make a major difference in the lives of our men and women who have served ably and honorably in our military, have served for 20 years or more, and also have been disabled. It will provide that anyone who is service-connected disabled 50 percent or more or combat-related of any rating will get the full concurrent receipt after a phase-in of 10 years.

Let me point out to my colleagues that this adds about \$22 billion in benefits over 10 years to veterans compensation. This is not an insignificant amount of money.

After the phase-in period, let me remind my colleagues as well that this bill adds about a \$3.5 billion every year to service connected disabled vets. So the next 10 years we are talking about another \$35 billion more that will go to our disabled veterans. That is in excess of \$57 billion to our disabled veterans as a result of this legislation.

I want to thank the gentleman from California (Mr. HUNTER), the chairman of the committee, for his work, the gentleman from Florida (Mr. BILL-RAKIS), the gentleman from Missouri

(Mr. BLUNT), and so many others who worked on this to make sure that we get concurrent receipt resolved.

□ 1015

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

I would only point out to the previous speaker and to speakers on the other side that if the Republicans in the House were willing to forego a little bit of the tax cuts for the wealthy, we could fully fund concurrent receipts, rather than just partially funding concurrent receipts.

Mr. Speaker, I urge adoption of this rule and adoption of this conference report.

Mr. Speaker, I yield back the balance of my time.

Mrs. MYRICK. Mr. Speaker, I yield myself such time as I may consume.

I want to again thank the chairman and ranking member of this committee for the good work they have done in bringing this bill forward. It is a good bill at the right time in history to help our men and women and to be sure that we are doing all we can in this war on terrorism.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. HUNTER. Mr. Speaker, pursuant to House Resolution 437, I call up the conference report on the bill (H.R. 1588), to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The Clerk read the title of the bill.

(For conference report and statement, see proceedings of the House of November 6, 2003, Book II.)

The SPEAKER pro tempore. Pursuant to House Resolution 437, the conference report is considered as having been read.

The gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first, I want to thank all of my colleagues who participated in putting this bill together from the earliest hearing that we had early in the year on the threat that America faces, on the status of our Armed Forces, and on what we need to do to give the President and our troops the tools to get the job done. My partner, the gentleman from Missouri (Mr. SKELTON), is every bit a 50-50 partner in this operation, Mr. Speaker. When we really get down to what it takes to protect our freedom, there are no Re-

publicans or Democrats, and we have a very bipartisan committee, and I am proud of that. I want to thank the gentleman from Missouri (Mr. SKELTON) on not just a friend, but a real full partner in helping to shape America's defenses, along with all of the members on the Democrat side on the Committee on Armed Services and, of course, our great, great folks on the Republican side, along with the subcommittee chairmen and ranking members who have done such a great job.

Now, Mr. Speaker, we face a new era. This is an era of what I would call terrorists with high technology; and probably Jim Woolsey said it best when he said we have killed the big dragon, that is, we have disassembled the Soviet Union, but there are lots of poisonous snakes out there, and we are seeing those poisonous snakes and the effect of their bites every day around the world, not just in the theatres in Afghanistan and Iraq, but elsewhere. And I think probably the American people since 9-11 still have an acute understanding of the venom and the poison that is manifest in that capability of our adversaries in this new era of terrorists with high technology.

Our job is to meet that threat, and our job is further, in meeting that threat, to shape the U.S. military and our defense apparatus to meet the threat, to defeat it, and to equip it; to give it the tools that it needs to do its job most effectively, and this bill does that, Mr. Speaker.

I wanted to talk about a number of issues with respect to this bill. This is a sweeping bill; and it does a number of reforms, a number of changes, a number of things that I think are important to change our military as we move into this new era.

Let me talk about, first just talk about the last subject that came up during the rule, and that is the tankers. Because, yes, the tanker agreement is in this bill. Let me tell my colleagues a little bit about that.

First, anyone who does a security analysis or a briefing on potential threats around this world and present threats understands that tankers are extremely important. I just might add that I undertook a series of classified and unclassified briefings, as have most members of the Committee on Armed Services over the last many years, and paramount to our ability to project power is American air power.

Whether we are talking about B-2 bombers that can fly literally from Whiteman Air Base to strike a target in Kosovo with precision munitions, or talking about tactical aircraft flying off a carrier and hitting targets in Afghanistan or Iraq, we need tankers. Tankers, that big gas station in the sky that the gentleman from Kansas (Mr. TIAHRT) talked about, are necessary to project American air power. If we have American air power and, specifically, if we have stealth, and we couple that stealth with precision munitions, that is, instead of carpet-

bombing a bridge, we send in that one precision munition, it hits one strut on that bridge and brings the whole bridge down, if we have that combination and we have the legs to get it there over the target in whatever remote part of the world we are operating in, we can project American power, we can protect our military forces, and we can drive them in a blitzkrieg attack against the enemy target, whether it is enemy forces surrounding Baghdad or some other area of the world; and Americans now understand that.

So we have to have tankers. If we do scenarios around the world, every single scenario requires lots of American tankers and, I might say, Mr. Speaker, more than we have now, newer than we have now, more capable than we have now. That is the reason we are putting the tanker deal together, and that is the reason that this is being carried in this bill.

Now, let me tell my colleagues, with respect to personnel, we have had some arm wrestling over this. But I think that the guy with whom we are trusting millions of young American lives, the Secretary of Defense, can be trusted with reshaping our personnel system in civil service in the Department of Defense to be more effective, and I think be more rewarding for those workers. I think they like the idea that we are going to be able to hire people right out of that job fair instead of telling them, in 3 months, maybe the Federal Government can hire you, while IBM and the private concerns are picking them up immediately. I like the idea that they are going to be able to be qualified for a job within a few days instead of after 3 or 4 months of bureaucracy, and that will allow them to take jobs that military people are doing now. When we have tested these things in places like China Lake, a majority of the workers, the workers have voted that they like this new system, this new flexible personnel system. This is an important new part of shaping the military.

So I think that is good.

Freedom to train, Mr. Speaker, we have talked about that. We have to give our young people the freedom to train, and once we make that agreement that the bird hatchery is going to be over here and the rifle range is going to be over here, we cannot let groups then go sue to close down the rifle range on the basis that they want to get that one too. We have to allow a balance to be maintained. One Marine said it best. He said to our members of the Committee on Armed Services, he said, for years we have done work-arounds. He said, we cannot work around it anymore, there is no land left to work around. So we need to have this. This is very, very important legislation, freedom-to-train legislation, Mr. Speaker.

Let me talk about the industrial base. We have got in this bill a great foundation for bringing back and maintaining the industrial base of this

country, and the centerpiece of this is what I think is the centerpiece of American production, the machine tool industry of this country, which used to be second to none. We have a provision in this bill, it is not a mandatory provision, so it is not going to make anybody have to go in and take out billions of dollars of machine tools, but it says that if you are an American contractor bidding on a DOD job, if you use an American machine tool instead of a foreign machine tool, you are going to get points in the competition. And I think that is going to incentivize some of our companies, big and small, to say instead of looking at another foreign-made machine tool, let us call up that American company and see what they have. Maybe we can use that machine tool. And that is going to, I believe, Mr. Speaker, start to bring back this base of machine tools upon which a lot of our defense manufacturing capability was founded. We do a lot of other great things in our industrial-based provisions, Mr. Speaker; but that is the centerpiece, and I think it is a very important foundation.

Now, we also reauthorize for 10 years the maritime security program. This is a program that brings in the strong right arm of America's maritime unions and makes sure that they are the ones that are moving men and materiel across the ocean into theaters of action instead of having to rely on rental operations where we are taking unions and working people from other countries and having to rely on foreign personnel to move the wherewithal for military victories around the world. That is what is going to bring our maritime unions, our ship-builders, and our maritime operators back into preeminence; and we have worked hard on that, Mr. Speaker, and that is a great aspect of this bill.

Concurrent receipt is very important, Mr. Speaker. We started out last year by saying people who are actually hit in combat, people who have won the Purple Heart, are going to get now two checks. They get the full check for everything that they have been disabled, for all of their disability, and they get the full check for their retirement for everything that they have done to serve the U.S. military. We now also say, and incidentally, I see the gentleman from New York (Mr. MCHUGH) here, our chairman of the Subcommittee on Total Force, who very much has been a leader in putting this thing together. We also now are going to give full concurrent receipt, that is that full disability check, to all of those people who are wounded in the combat area or who are disabled or hurt in the combat area, who are hurt or disabled while training for combat. Maybe that guy who is jumping out at the 82nd Airborne, with the 82nd Airborne at Fort Bragg hurt his back, he is going to get it; and also people who are hit by instrumentalities of combat, like people who are hit by agent orange, Mr. Speaker. Then we go to the

entire population of veterans who were not hurt in combat, were not hit by enemy bullets, were not hurt while training for combat but, nonetheless, have disabilities. And all of those people who are over 50 percent, Mr. Speaker, are going to receive both checks.

Now, that is going to bring in about 250,000 people, new people into the system. It is a big, big victory for veterans. It is a wonderful thing.

Mr. Speaker, let me just say, too, along with the gentleman from New York (Mr. MCHUGH), the gentleman from Florida (Mr. BILIRAKIS), obviously, the guy that I call the father of concurrent receipt, it has been a big part of his career. And the gentleman from New Jersey (Mr. SMITH), the gentleman from Missouri (Mr. BLUNT), lots of great people; I might say that Senator WARNER also, working on Purple Heart Plus last year, had a good hand in starting to put this thing together, lots and lots of people. Lots of our veterans and veteran supporters in this House have been involved in putting this program together. This is a great program.

Mr. Speaker, this is a great bill. It is a far-reaching bill. It gives the President and the troops the tools to get the job done. Let us pass this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bill, the National Defense Authorization Act. I will explain the reasons why, but I first want to compliment my friend, the gentleman from California (Mr. HUNTER). This was the gentleman's inaugural voyage as chairman of the Committee on Armed Services and the seas were far from smooth. Many of the issues we faced were particularly difficult. I applaud the gentleman's leadership in recognizing that the totality of the bill is more important, especially when our country is at war in Iraq.

I do want to raise several issues of caution about process, however. First, the conference process has not been totally inclusive. Many issues, three in particular, civil service reform, concurrent receipt, and Air Force tanker leasing have been decided without substantive Democratic consultation. Second, there were few conference meetings that involved all the conferees or even all the House conferees. Finally, it is highly undesirable to consider a conference report on a large and highly complex defense bill in just a few hours after the conference report has been filed. It is not possible for Members to make best judgments about voting on this bill when there has not been adequate time after it has been filed.

The fact that we are considering this bill today, however, reflects the commitment of the Committee on Armed Services members that we must provide for the men and women of our military when they are sacrificing in so many ways to defend our country

and our issues. They are depending on us. We will not let them down. And we are at war.

I want to highlight just a few issues that cause me to support this bill. The bill includes a 4.1 percent pay raise for the troops. The bill provides an increase in imminent-danger pay. It provides for family separation allowance, which will directly benefit our servicemen and -women who are serving in Iraq and Afghanistan and other dangerous spots away from their homes. The conference report further authorizes TRICARE coverage in the military health care system for our National Guardsmen and for our Reservists who played such a vital role against terrorism.

□ 1030

Finally, very, very important, this bill includes increasing the Army's size 2,400 additional soldiers. That is so terribly important because the troops are so strained at this time, and the gentleman from New York (Mr. MCHUGH) knows that so well as chairman of the subcommittee.

We need the pay raise. We need the special pay to compensate and help retain those who have those special skills. Our bases need the military construction and family housing authorizations. We need to authorize the money for military operations, for flying hours and steaming days and tank miles, to allow our troops to be the best trained and prepared in the world.

I want to mention concurrent receipt. Overwhelming majorities of both Houses clearly support providing this benefit to all disabled retirees. Nevertheless, the conference agreement, which would provide this benefit to those at least 50 percent disabled, is a significant step in the right direction. There will, however, be a motion to recommit regarding this issue, and I hope people will support it.

I am pleased, Mr. Speaker, that we were able to reach agreements on many difficult issues, but I know many of my colleagues will not be happy with some of the substantive outcomes. The conference agreements concerning low yield nuclear weapons, civil service reform, and changing environmental laws are particularly problematic, and I point those out.

Now, perhaps more than any time in the last decade, however, Mr. Speaker, it is essential that the House take action to provide for our men and women in uniform. This vote will not only be seen in Kabul or Baghdad but also Diego Garcia, Fort Irwin, Norfolk, Fort Leonard Wood, Whiteman Air Force Base. We need to send a message to the American public, and to our adversaries and allies, that we as a Congress are prepared to give our men and women in uniform the support, the strong support and protection that they deserve.

So I urge my colleagues to vote for this conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. HUNTER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SAXTON), who is chairman of the Subcommittee on Unconventional Warfare, Terrorism and Capabilities and oversees these very important special operations forces who are doing such a great job for our country.

(Mr. SAXTON asked and was given permission to revise and extend his remarks.)

Mr. SAXTON. Mr. Speaker, let me begin by thanking and commending the chairman of the committee, the gentleman from California (Mr. HUNTER), and the ranking member, the gentleman from Missouri (Mr. SKELTON), for the great bipartisan job that has occurred in bringing this bill to the floor.

Mr. Speaker, I rise in strong support of H.R. 1588 and do so with a great deal of pride after a lengthy but productive conference. The conferees have hammered out an excellent bill that will go a long way in enhancing our national security and providing our troops and their families with the assets they need.

I have the honor of chairing, as the chairman said, the new Subcommittee on Terrorism, Unconventional Threats and Capabilities on the Committee on Armed Services. As many in this body know, I have worked for many years to stand up such a subcommittee, and with good reason, for there is much that is left to be done.

The subcommittee's ranking Democrat, the gentleman from Massachusetts (Mr. MEEHAN), and I have worked hard together to explore a multitude of ways to provide the Department of Defense with the capabilities to defeat and defend against terrorists at home as well as abroad, and many of these ideas are contained in the conference report before you.

For example, the conference report includes many provisions that will prepare our Armed Forces and, in particular, the Special Operations Command, to combat terrorism worldwide as well as several items that will enhance homeland defense. In addition, the conference report establishes several programs addressing issues that arose in the recent war with Iraq and items that will speed the transformation of the military services.

It is critically important that all Members vote for this measure. There is much to applaud in many areas. I am proud to be a conferee and proud of the work that the chairman, and my good friend, the gentleman from California (Mr. HUNTER), as I said before, and the gentleman from Missouri (Mr. SKELTON) did in this regard. They have set a standard for us, and this is a bill which must be passed, hopefully with a very good vote.

Mr. TAYLOR of Mississippi. Mr. Speaker, I yield 3 minutes to myself.

Mr. Speaker, last night, yesterday in Iraq 7 brave young Americans died. This is the committee that makes the decisions to arm those people, to pay

those people, take care of their families, and to take care of their injuries when they get home. And, so, as earlier this year I voted to send those young people to Iraq, I share in the responsibility and for those things that go wrong I share in the blame.

Having said that, although I have grave reservations about parts of this bill, I will be supporting it because they deserve to be paid, they deserve a pay increase, they deserve the better weapons, the better ships that are in this bill. But there are a couple of things that trouble me greatly.

Number one is the Bush administration's insistence on another round of base closures. Anyone in this body knows, who has taken the time to look at it, knows the United States Army is too small, that the entire United States Army is spoken for. If they are not deployed, they are getting ready to be deployed. So how on earth can we close one base out of four as the Bush administration wants to do?

The fleet is too small, 295 ships. Again, how can we close one Navy ship out of four if the fleet is too small?

If the Bush administration truly thinks the base closures is a good idea, then they ought to have the courage to announce which bases they want to close prior to the Presidential election and not after in 2005. I think it just stands to reason. You do not hear Congressmen saying let us close bases. I cannot find one Service Secretary who is saying let us close bases. I cannot find one Admiral or General who will name one base that should be closed.

So if the Bush administration wants to close bases, let them do it prior to the Presidential election.

Second thing is, Mr. President, for the sake of those people fighting, let us pay for this war. This supplemental, and I am going to vote for it, is going to spend \$400 billion for our Nation's defense.

A couple weeks ago we had a supplemental for \$87 billion, earlier in the year another supplemental for \$79 billion. That adds up to about \$565 billion. Every penny of that is borrowed. It is borrowed from the Social Security Trust Fund. It is borrowed from the Medicare Trust Fund. It is borrowed from the military retirees trust fund. It is borrowed from the civil service-men's retirement trust fund. It is borrowed from the communist Chinese, and it is borrowed from average Americans.

See, those of us who were lucky enough not to have to fight this war ought to at least be willing to pay for it and not stick the brave young men and women who will be coming home from this deployment with the bill. Every other generation of Americans tried to pay their own bills during wartime. This generation of Americans passes the buck to somebody else, and it is wrong.

So for the sake of the great young men and women who are serving our country in the Army and the Navy, the

Air Force, Marines, those great Guardsmen and Reservists who are being pulled away from their families to serve as we speak, and a young person from Mississippi who was a Guardsman died just yesterday, I am going to vote for this bill. But I would ask my colleagues to let us do this in the future in a more sensible way.

Mr. HUNTER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. MCHUGH), who has a high responsibility of overseeing the total force of the military, our Reserves, our Active, our Guard, with respect to all the personnel issues, pay, personnel issues, family benefits, the chairman of the Subcommittee on Total Force.

(Mr. MCHUGH asked and was given permission to revise and extend his remarks.)

Mr. MCHUGH. Mr. Speaker, I thank the chairman, the gentleman from California (Mr. HUNTER), for his gracious comments and for his courageous leadership, certainly on this bill, but also day in and day out.

I think it is obvious there are a couple lessons we can learn from this bill. One is an old lesson, and that is happily this is one of, if not the most, bipartisan committees to operate in Congress, and that is so critical in times such as these. We have heard the gracious comments and enlightened comments of the ranking member, the gentleman from Missouri (Mr. SKELTON), someone who I respect so much. I want to thank my ranking member, the gentleman from Arkansas (Mr. SNYDER), for his partnership in our portion on this mark, and all of the members of the committee on both sides of the aisle. But I give a special tip of the hat to our chairman who, in a very difficult time was experiencing personal loss, the loss of his private home during the California fires, still kept a focus on this vital piece of legislation.

The second lesson is that important as all the military is, the troops are key. And you have heard my colleagues comment about the positive things in this bill, active industry, the increases for the Army in difficult times, similar end strength increases for the Guard and Reserve, for those good citizen soldiers the military pay raise average 4.1 percent, the imminent danger and family separation allowances at these difficult times. But I want to focus on concurrent receipt.

The third lesson of this bill is we always want to do better, but I would note to my colleagues who have concerns that this is a program that has been in place since the Civil War era. And until all of this work together over the last several years, there had never been a change in it.

With this bill today we will have started at 35,000 troops, veterans who are receiving full concurrent receipt, and we will have expanded that to over a quarter of a million. And that is progress, \$22 billion. So we will continue to fight to do better, but this is amazing progress for more than 160

years when nothing had been done, and I urge all my colleagues to support this bill.

Mr. Speaker, I rise in strong support of the conference report on H.R. 1588, a wartime bill that directly addresses committee concerns about the inadequacy of military manpower and the damaging effects of excessive operations and personnel tempos.

H.R. 1588 also reflects the House Armed Services Committee's belief in the need to be proactive in military personnel policy and pay matters so as to sustain the commitment and professionalism of the men and women of America's magnificent all-voluntary armed services, and the families that support them.

Finally, H.R. 1588 contains legislative and funding initiatives to enhance the ability of the active, National Guard and reserves to operate as an integrated total force.

Among the more important provisions of H.R. 1588 are:

Active end strength increases of 2,400 for the Army, with an additional \$68 million to support the increases;

Growth in selected reserve and fulltime National Guard and reserve strengths;

Military pay raises that average 4.1 percent;

Continuation of increases in imminent danger pay and family separation allowances.

A significant expansion of concurrent receipt that will when implemented wean that benefit more than 250,000 military retirees.

Commissaries and exchange provisions to better define and protect those important benefits.

DOD health care improvements, to include expanded health care coverage of the National Guard and reserves, and

Expanded and expedited naturalization procedures for active and reserve component personnel.

None of these great outcomes is achieved in a vacuum. The conference report before you is a bi-partisan measure, reflecting the active input and involvement of committee members, as well as the leadership and judgment of Chairman DUNCAN HUNTER and Representative IKE SKELTON, the committee's ranking Democrat.

H.R. 1588 is a very good bill that addresses a range of needs of our wartime military. I urge my colleagues to support it.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. SNYDER.)

Mr. SNYDER. Mr. Speaker, as the ranking member of the Subcommittee on Total Force I rise in support of this conference report. I would like to take this opportunity to thank the chairman of the Subcommittee on Total Force, the gentleman from New York (Mr. McHUGH), for his leadership and also to thank the committee chairman, the gentleman from California (Mr. HUNTER), and the ranking member, the gentleman from Missouri (Mr. Skelton), for their many years and efforts that has resulted once again in a conference agreement coming to the floor.

This bill continues several years of improvements to quality of life programs for our military personnel, retirees, and their families. We provided a targeted pay raise of up to 3.7 percent and additional targeted pay increases for mid-career and senior enlisted personnel.

We fixed a problem for our reservists who were called up after September 11 and were forced to pay their lodging expenses when they went home on leave. We extended the increase in imminent danger pay to \$225 and family separation allowance to \$250 until the end of next year. Our service members are still in conflict in Iraq and Afghanistan and face months of separation from their loved ones. These increases are necessary and deserved.

We increased access to TRICARE benefits for reservists and their families. We expanded commissary access to selected reservists and Reserve retirees under 60.

We allow individuals who volunteer to defend our Nation but are not U.S. citizens to become naturalized after 1 year of service. We also allow their families to become naturalized if a service member is killed in action.

I am disappointed that the committee was not able to include full concurrent receipt. Approximately 60 percent of Arkansas disabled veterans who are currently penalized by current law will not be helped by this compromise. We should do better.

While I am supporting of this bill, the process that brought us here is not good. The bipartisanship for which our committee has been known is slowly vanishing. The responsibility to provide for our Nation's defense and security is an area in which partisanship should be minimized, particularly at a time of war.

Sadly, it is becoming clear that this partisanship is becoming the norm in the way we conduct business. Both Democrats and Republicans have a duty and obligation to protect our citizens and the freedom Americans enjoy.

We need to work together in a bipartisan fashion to ensure that our rights and freedoms are preserved for future generations.

Mr. HUNTER. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. DICKS.)

(Mr. DICKS asked and was given permission to revise and extend his remarks.)

Mr. DICKS. Mr. Speaker, I would like to enter into a colloquy with the gentleman from California (Mr. HUNTER), the chairman of the Committee on Armed Services.

Mr. Chairman, the conference report on H.R. 1588, the Fiscal Year 2004 Defense Authorization Act, contains a provision, section 135, which authorizes the Air Force to enter into a contract for 100 tanker aircraft under the terms and conditions of section 8159 of the Fiscal Year 2002 Defense Appropriations Act.

Mr. HUNTER. Mr. Speaker, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from California.

Mr. HUNTER. Mr. Speaker, the gentleman is correct. Section 135 of the conference report does authorize a tanker acquisition program as did the Fiscal Year 2002 Defense Appropriations Act.

Mr. DICKS. Mr. Speaker, it is my further understanding that section 135 was written after extensive negotiation with the Department of Defense and the administration and that that section represents a common understanding between the conferees and the administration on the terms under which this tanker program will be executed.

□ 1045

Mr. HUNTER. The gentleman is again correct. Section 131 codifies an agreement reached with the administration. The conferees relied upon a letter sent on November 5, 2003, to the chairman and ranking member of the Committee on Armed Services in the other body by the Deputy Secretary of Defense, Mr. Wolfowitz, in coming to agreement on the tanker acquisition program authorized by section 135.

Mr. TIAHRT. Mr. Speaker, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Kansas.

Mr. TIAHRT. Mr. Speaker, it is further my understanding that section 135 of the conference report will authorize the Air Force to enter into a single contract to acquire 100 767 tanker aircraft through a combination of lease and purchase.

Mr. HUNTER. The gentleman is correct. Section 135 authorizes the Air Force to enter into one contract for 100 aircraft, 20 by lease and 80 by purchase, or more than one contract for the same combination of aircraft.

Mr. TIAHRT. Finally, it is my understanding that section 135 of the conference report authorizes the Air Force to enter into a multi-year contract for the purchase of 767 tanker aircraft, and that payment under this contract may be made at the time of aircraft delivery, a process sometimes referred to as incremental funding.

Mr. HUNTER. The gentleman from Kansas (Mr. TIAHRT) is correct. The conferees in their joint report language agree that this section would "authorize the Secretary to enter into a multi-year procurement program, using incremental funding." This language indicates that the multi-year procurement program authorized by section 135 would allow the Air Force to make payments as agreed to in the contract and that the Air Force would not be required to have the full budget authority required to purchase an aircraft in order to place an order for that aircraft under the contract.

Mr. DICKS. We thank the chairman for his hard work on this issue.

Mr. Speaker, the letter sent to the Committee on Armed Services by Deputy Secretary of Defense Wolfowitz is as follows:

DEPUTY SECRETARY OF DEFENSE,
Washington, DC, Nov. 5, 2003.

The Hon. JOHN WARNER,
Chairman, Committee on Armed Services, U.S.
Senate, Washington, DC.

DEAR MR. CHAIRMAN: Thank you again for your consideration of the Department of Defense's proposal to lease 100 KC-767A aircraft. As you know, there has been a vigorous debate on the best way to get this program started. Your most recent amendment would allow the Air Force to lease no more than 20 of the 100 tankers. The Air Force has developed a proposal to implement that arrangement, and I hope that you will find it acceptable.

Our proposal strikes a necessary balance between the critical need for new air-refueling tankers and the constraints on our budget. As reflected in the enclosed chart, we intend to lease the initial 20 aircraft and then buy aircraft at a steady rate of 11 to 13 aircraft per year until delivery of the 100th. We commit to add \$2.4B, in Fiscal Years (FYs) 2008 through 2010, to the funding profile for the original proposal to lease 100 aircraft. We also will add \$1.4B in FY 2012 to 2013. The combination of these added funds achieves an immediate start to the program and allows us to purchase the last 80 aircraft at time of delivery.

I appreciate the support that you have provided in the past and look forward to working with you in the future. If you require further information, please do not hesitate to contact me. A similar letter has been sent to the chairmen and ranking minority members of each of the defense committees.

Sincerely,

PAUL WOLFOWITZ.

Mr. SKELTON. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, one of the most time-honored traditions of America's servicemen and women is to keep their promise to leave no troops behind on the battlefield. This revered tradition is based on the principle that it would be wrong to leave those behind who have served in sacrifice for their country. Our Nation should honor this tradition, this principle of respect when it comes to the treatment of veterans. No veterans should be left behind when it comes to providing them the benefits they have earned.

Unfortunately, the Republican compromise on the disabled veterans tax known as concurrent receipt leaves over 397,000 veterans behind, 397,000 veterans, most of whom have served our Nation in uniform 20 to 30 years. They would not benefit whatsoever from this so-called compromise that represents a lot of broken promises and a lot of patriotic veterans left behind.

Many of the military retirees who might be benefitted from this compromise will never see its benefits because it is phased in over 10 years. How many World War II veterans will even be alive 10 years from now?

When Republicans passed a \$230,000 tax break just earlier this year for wealthy Americans making over \$1 million a year in dividend income, those massive tax benefits were made effective this year. Why then are veterans forced to wait 10 years to see a limited reduction in the disabled veterans tax? Where is the fairness in that?

One hundred sixty Republicans in this House have co-sponsored the Bilirakis bill to fully repeal the disabled veterans tax. Unfortunately, only two of those 160 Republicans have signed the discharge petition to require a vote on that bill.

Well, today there is a second chance to do what is right for veterans. By voting yes on the motion to recommit we can repeal the disabled veterans tax. If just a few of the 160 will join with Democrats, we can repeal the disabled veterans tax and we can do it fully and we can do it today. We can keep the promise we made to veterans when we co-sponsored the Bilirakis bill.

Keeping promises and leaving no troops behind, those are quintessential American values. On the eve of Veterans Day, let us apply those American values to the treatment of our veterans. Our promise to veterans should be more important than Republican Party loyalty. Vote yes on the motion to recommit. Vote yes to keep our promises to America's veterans.

Mr. HEFLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. BARTLETT), the chairman of the Subcommittee on Projection Forces.

Mr. BARTLETT of Maryland. Mr. Speaker, as chairman of the Subcommittee on Projection Forces, I am pleased to highlight the issues within the jurisdiction of our subcommittee.

This conference report increases the requested authorization for programs within the jurisdiction of the Subcommittee on Projection Forces by \$1.3 billion to \$30 billion dollars. Authorization is included for the administration's request of one Virginia class submarine, 3 DDG-51 destroyers, one LPD-17 amphibious assault ship, and two cargo and ammunition ships.

Additional authorizations of \$75 million for advance procurement of LPD-17 and \$248 million for SSN refueling overhaul are also included. Our conference report addresses 100 aircraft KC-767 Air Force proposed lease program by restricting the lease portion of the program to 20 aircraft, requiring the Air Force budget to procure the remaining 80 aircraft. This approach will save the taxpayer at least \$2 billion over the originally-proposed program.

We have also taken several initiatives to begin to address shortfalls in important requirements of the Department of Defense. An additional \$20 million to sustain a force structure of 83 B-1's, 23 aircraft above the level planned; and an additional \$208 million for Tomahawk missiles, an additional \$40 million for the Affordable Weapon, an additional \$100 million bomber R&D initiative for the next generation, follow-on stealth, deep strike bomber.

In addition, the recommended mark includes several important legislative proposals. First, a multi-year procurement authorization for several programs. Second, a limitation on C-5A aircraft requirement. Third, an electro-

magnetic gun initiative. Fourth, a requirement that the Secretary of Defense complete two independent studies on potential future fleet architectures for the Navy.

In conclusion, I urge my colleagues to support the conference report. I would like to thank the gentleman from Mississippi (Mr. TAYLOR) for all his support in completing in conference report. I would also like to thank our chairman, the gentleman from California (Mr. HUNTER), and our ranking member, the gentleman from Missouri (Mr. SKELTON), for their leadership, commitment and steadfastness in completing this process.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the minority leader.

Ms. PELOSI. Mr. Speaker, I thank the distinguished member of the Committee on Armed Services for yielding me time and for his great services to our country throughout his whole life which continues here in Congress. As a veteran himself, his service on the Committee on Armed Services is very informed and we thank him and recognize his leadership.

Mr. Speaker, I rise today to honor the commitment of our Nation's veterans. We will have a motion to recommit, as has been indicated, and it is to support our veterans.

No group of Americans has stood stronger and braver for our Nation than our troops and our veterans. From the bitter cold winter at Valley Forge to the boiling hot Iraqi terrain, our soldiers have courageously answered when called, gone where ordered, and defended our Nation with honor.

As a Nation we have a sacred pact with those who have served us in uniform. They have taken care of us and, in turn, we will always take care of them. That is our solemn pledge.

Today, just before Veterans Day, we stand on the floor of the House of Representatives prepared to vote on the Department of Defense authorization conference report. And on this day we have young men and women, the sons and daughters of America on the ground, engaged in war in Iraq. We salute them for their courage, their patriotism and the sacrifice they are willing to make for our country. But this bill in many respects does not honor their service.

Democrats are fighting to live up to our promise to our veterans by ending the unfair practice of the disabled veterans tax. The gentleman from Georgia (Mr. MARSHALL) will be offering the motion to recommit to this effect. He is leading our fight for a complete and total repeal of the disabled veterans tax for all of our veterans. We have made this long-standing issue too hot to handle for the Republicans and they have offered a proposal in today's conference report in response. Their proposal is a step, but it is not nearly good enough.

The Republicans have put forth a proposal that leaves far too many veterans behind. Under their Republican proposal, two-thirds of our veterans, two-third of our veterans still will not receive one penny of compensation for their disabilities.

The Republican deal will address the tax for some veterans but not for others. For the select few it does address, the tax may not fully end for them for 10 years. Many of these are veterans of World War II. Ten years is a long time to wait in any event, but especially if you are a World War II vet. That is not good enough.

America's veterans deserve better. On the battlefield of war our soldiers pledge to leave no one behind. As a Nation, it must be our pledge that after our soldiers come home we will leave no veteran behind. Our veterans served for all of us. We must be there for all of them.

In June, Democrats launched a discharge petition to give Members a chance to vote to end completely the disabled veterans tax for all military retirees. Two hundred and three Members, 201 Democrats, only 2 Republicans, signed the discharge petition, despite the fact that 160 Republicans have co-sponsored the legislation. So we know that our Republican colleagues believe that this is the right course of action. Democrats are giving you a way to honor our own commitment. The right thing to do was obvious then when this discharge petition was signed to completely end the disabled veterans tax.

The right thing to do today, just before Veterans Day, is also obvious. Vote to recommit this bill with instructions to strip out the failed Republican language on disabled veterans tax and add the Democratic language to completely and totally end the disabled veterans tax. Indeed, this language is the language of the gentleman from Florida (Mr. BILIRAKIS), a distinguished member of the Republican Caucus.

The current language again leaves two-thirds of our vets behind. The Democratic motion to recommit leaves no veteran behind. We have a moral obligation to those who have paid the high price for our freedom, those who have worn our Nation's uniform. Our words must be as bold as their deeds, and we must honor what they have done for our country.

So let us give a great gift to our veterans on this Veterans Day. I urge my colleagues to honor our veterans service and vote yes when the opportunity comes for the motion to recommit.

Mr. HEFLEY. Mr. Speaker, I yield myself 3½ minutes.

Let me just respond just a second to the gentlewoman who just spoke.

The Democrats controlled this House for 40 years, and I went to Sonny Montgomery, who was chairman of the Committee on Veterans Affairs, and I asked him years ago, why do we not do something about this concurrent receipt

thing? And he said, we are not doing anything about that concurrent receipt and we are never doing anything about that concurrent receipt.

They had a Democrat President. They had a Democrat Senate. They had a Democrat House. They could have done something about it, but they did not, and now we get this phony posturing after a deal has been worked out to really try to deal with the problem. I think that is a cheap shot, Mr. Chairman. But that is not why I rise today.

I rise to support H.R. 1588, the National Defense Authorization Act for Fiscal Year 2004. We are a Nation engaged in an ongoing global war on terrorism. American soldiers, sailors, airmen and Marines are deployed all over the world in support of Operation Enduring Freedom and Operation Iraqi Freedom. The bill supports all of our service members who are fighting terrorism and defending our homeland.

H.R. 1588 strikes a careful balance between ensuring that our military is able to train in a realistic manner while remaining good stewards of the environment. The bill amends the Marine Mammal Protection Act so that it can be read and implemented in a common sense fashion. The Navy, for example, will now be able use new sonar technology vital to the protection of U.S. ships, submarines and global interests, without harming marine mammals.

The bill also changes the Endangered Species Act to ensure that military training lands are used for their primary purpose, to train America's troops in realistic environments. These changes will protect the environment and also enhance the readiness of our military personnel.

H.R. 1588 also recognizes that the military services will face significant challenges as personnel and equipment return home from war. The level of effort necessary to resurge this equipment at our maintenance depots will be extraordinary. This conference report recognizes these consequences and includes additional funding for key readiness accounts.

The bill includes \$9.7 billion for military construction and family housing projects around the world. This is an increase in the President's budget of more than \$420 million, with additional funds targeted at projects to improve the facilities in which America's service members live, work, train and operate. Such projects are extraordinarily important to the quality of life for our military personnel and their families, as well as U.S. military readiness.

The National Security Personnel System established in this bill will provide the Secretary of Defense flexibility to hire, fire and promote a more agile workforce; the authority to tie pay to performance; increased ability to classify positions and to administer pay and allowances; and a better basis on which to establish a labor relations system.

□ 1100

The new personnel system will also ensure that employee representatives are included in the planning, development, and implementing of new human resources management systems. There also will be a separate process to ensure that employee representatives participate in the development and implementation of a new management relations system.

There are some things that did not get in this that we were beat back on in the Senate. I think the BRAC provisions were one that I wish were changed. I think the firefighting provisions were very important to be changed; but, in balance, H.R. 1588 will make real improvements in U.S. military readiness and ensure the continued strength of U.S. Armed Forces for years to come, and I urge my colleagues to support this bill.

Mr. SKELTON. Mr. Speaker, I yield 3½ minutes to the gentleman from South Carolina (Mr. SPRATT).

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Speaker, with a defense budget of \$400 billion and an enormous range of issues, it is not easy to bring a conference to closure, and I commend the gentleman from California (Mr. HUNTER), as well as the gentleman from Missouri (Mr. SKELTON), for what they have achieved.

I rise in support of H.R. 1588, the conference report thereon, but I have some real concerns. First of all, I have already spoken to the failure of the underlying bill to accrue properly the budget authority that will be necessary to implement the compromise on concurrent receipt or the provisions for lease purchase of 100 tankers. I am concerned about the radical reform of civil service laws in the Department of Defense and the dispensation this bill gives to the Department of Defense from environmental laws that apply to everybody else. Also, I am concerned about the new and cumbersome strictures on cooperative threat reduction.

I am particularly disappointed in the provisions of this report that deal with low-level nuclear weapons. I believe the conferees should have stuck with the bipartisan compromise reached by the Committee on Armed Services and set forth in the defense bill that we passed last May. That compromise was sound enough that in July of this year when I offered a motion to instruct, those provisions were accepted and upheld by the House without dissent.

The administration began this year by stepping up its push for repeal on a ban of low-level nuclear weapons research and development, a ban which has been in the law for 10 years. There was little opposition here to broadening research into low-yield nuclear weapons, but there was bipartisan concern about going so far as engineering development. And so both the House and Senate authorization bills proposed changes to allow research into

low-yield nuclear weapons, but restricted any move into engineering development.

The Senate, on the other hand, repealed the so-called Spratt-Furse amendment entirely, but then backfilled the cavity with caveats barring testing or deployment of low-yield nuclear weapons. They also added language requiring specific congressional authorization to move into development of any advanced nuclear concept project. These are the provisions included in the conference report.

By contrast, the House version amended existing law rather than repealing it. We explicitly authorized research, but we maintained a bar on development beyond detailed feasibility studies, the so-called 6.2a level of research and development.

Our compromise may have similar in consequences to the Senate approach, but I think it was superior in form because it makes clear that it is the policy of the United States not to develop low-yield tactical nuclear weapons. The House compromise, thus, gives stronger assurance that Congress will be an equal partner if that policy is reversed, if that decision is taken, and if there is a move to go beyond research.

When we adopted the Spratt-Furse amendment in the early 1990s, it came in the wake of an issue taken by the first President Bush whereby we withdrew a number of tactical nuclear weapons from Europe and the Soviets responded in kind. This was a step back and a step forward for nuclear security throughout the world. This initiative helped us later on to persuade Ukraine, Kazakhstan, and Belarus to forswear nuclear weapons.

If today the United States should move toward renewed development of nuclear weapons, especially weapons designed to be more usable due to their low-yield warheads, it sends the wrong signal.

Mr. Speaker, I support the conference report because it does many things I support, particularly for the quality of life for our troops, and also because I trust that the effect of the language in the report will be enough to forestall development of mini-nukes. I recommend support for the bill.

Mr. HEFLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. TOM DAVIS), who is chairman of the Committee on Government Reform.

(Mr. TOM DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. TOM DAVIS of Virginia. Mr. Speaker, this legislation has a number of component parts, concurrent receipt. It has a \$500 million human capital performance fund that will reward civil servants for outstanding performance, something we have never had before. It has a services acquisition reform act element that will reform the way we buy and purchase services which can save literally billions of dollars for America's taxpayers, and it has

a national security personnel system that we have created that will allow the Department of Defense to shed the shackles of its 50-year-old civil service structure, because when it comes to our civil service, the tradition of preserving traditions has become a tradition. It is time for that to change.

Some of my colleagues on the other side of the aisle have come up with some statements on this that I think are off the mark. They have noted that this bill makes a mockery of labor-management relations. This conference report includes chapter 71, the labor-management relations in the list of nonwaivable chapters in title V of the U.S. Code. The agreement sets up an extensive collaborative process that requires the Department to work side by side with the unions and employee groups in setting up the human resources management system for the Department of Defense. The agreement sets up an extensive collaborative process that requires the Department to work side by side with the unions in setting up the process in which management and labor work together in the future.

The second and third requirements are new to Federal law. No other agencies are required to coordinate with their employees, a good precedent.

Another gentleman said that the bill eliminates overtime pay for civilian employees. That is absolutely false. Overtime pay is not eliminated. The agreement, in addition to having \$500 million in a human capital performance fund for civil servants who perform in an outstanding fashion, the agreement provides the Department the authority to improve the current provisions in law relating to overtime pay for some of the Department's most valuable employees. It asks for this language not to scrap overtime pay; instead, they are asking for authority not to be bound by the voluminous restrictions and requirements in title V that dictate how, when, and where DOD is authorized to administer overtime pay. This will allow the Department of Defense to move into the modern age.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Speaker, I rise today in support of H.R. 1588, the National Defense Authorization Act of 2004. I want to thank the gentleman from California (Chairman HUNTER) and the gentleman from Missouri (Mr. SKELTON), the ranking member, for their hard work on this bill. I must, however, express my deep reservations with regards to what I see as the inadequacy of the concurrent receipt provision. This Congress is expanding concurrent receipt to only 30 percent of disabled retirees. Where is our commitment to all of our veterans? Congress must not forget those veteran retirees who will still be denied their hard-earned retirement pay. All veteran retirees give at least 20 years of service to this country. They have

stood ready to serve in times of war and times of peace. This country owes them more than a tax on the disability compensation.

I fear the partial phase-in of concurrent receipt will create two classes of veterans: those who will continue to suffer under the disabled veterans tax and those who will be deemed disabled enough to receive their compensation. Their sacrifice and service was equal. Congress should treat them with the same equity with which they served. Whether being drafted into service or volunteering, every disabled veteran was prepared to give their last full measure. Each was prepared to demonstrate the ultimate commitment; yet Congress cannot even muster for them half a loaf.

Mr. Speaker, as we head home to observe Veterans' Day, this is no way to honor our veterans. To divide veterans into the haves and have-nots is not befitting the sacrifices they made. They gave our country 100 percent, whether in times of war or peace; and they deserve 100 percent of what they earned.

In closing, I will be supporting H.R. 1588, but also will be supporting the Marshall motion to recommit to expand concurrent receipt to all of our disabled veterans.

Mr. HEFLEY. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Alabama (Mr. EVERETT).

(Mr. EVERETT asked and was given permission to revise and extend his remarks.)

Mr. EVERETT. Mr. Speaker, I rise in support of this bill. It is very important that for the first time in well over 40 years we do something about concurrent receipt.

Mr. Speaker, I rise in strong support of the conference agreement on the National Defense Authorization Act for fiscal year 2004.

This is a solid bill that broadly serves our national security interests and addresses the needs of our armed forces as we continue the fight against terrorism. I will get to some of its strengths in a minute. But first I want to thank you Chairman HUNTER and Ranking Member SKELTON for the leadership you have provided in putting this bill together. And I particularly want to recognize the ranking member of the Strategic Forces subcommittee, Mr. REYES, for his efforts on this bill. Together we have tackled some very tough issues.

The first long range missiles and nuclear weapons were developed almost 60 years ago. Yet today, we have no means to defend the territory of the United States against even a single long range missile, and have only recently begun to deploy defenses against theater range missile threats. In December of last year, the President announced his intention to enhance the capabilities of our Pacific missile defense test bed to field a modest, initial defensive operational capability to defend the territory of the United States by the end of fiscal year 2004. The President requested \$9.1 billion to support that—and other—missile defense efforts.

I am pleased to report that this bill fully funds the request, providing the resources required to meet this great and historic challenge. The conferees have also agreed to shift

funds from longer term, less mature efforts in order to accelerate nearer term fielding of systems like Patriot that are designed to protect our troops deployed worldwide who face increasing threats from theater range ballistic missile threat.

Some of the most difficult issues we addressed in this bill involve nuclear weapons. Since the end of the cold war, we no longer face a monolithic threat. The new national security environment in which we find ourselves requires that we adopt a more flexible and adaptive approach to planning for our strategic deterrent. It further requires that we examine the weapons in our aging stockpile to determine if they continue to meet the Nation's needs for a credible and robust deterrent. Provisions of this bill would allow our scientists and engineers the freedom to explore the full range of options for defeating existing and emerging threats. At the same time, the bill includes "checks" that reserve for Congress the authority to approve the development of certain classes of new nuclear weapons.

The bill would also authorize the budget request of \$6.4 billion for the weapons activities of the National Nuclear Security Administration. The United States has observed a moratorium on nuclear testing for over a decade, and NNSA programs continue to maintain the safety, reliability and performance of the nuclear stockpile in the absence of testing.

However, recognizing that circumstances may require a return to testing at some point in the future, and that the current test readiness posture of almost 3 years does not provide a real option for any President, the conferees have included a provision that would require the Secretary of Energy to achieve and maintain a readiness posture of not more than 18 months.

The conference agreement provides strong support for the military space and intelligence activities that have proven so effective in Afghanistan, and more recently Iraq. Notably, the bill would promote development of the U.S. commercial space-based imagery industrial base, enhance space-based communications to support the warfighter, and robustly fund development of unmanned aerial vehicles for intelligence, surveillance and reconnaissance.

Mr. Speaker, the men and women of our armed forces are doing their part everyday in places far from home. Let us do our part, and pass this bill.

Mr. HEFLEY. Mr. Speaker, I yield 2½ minutes to the gentleman from Georgia (Mr. GINGREY), a member of the Committee on Armed Services.

Mr. GINGREY. Mr. Speaker, I rise today in strong support of the conference report on H.R. 1588, the National Defense Authorization Act for Fiscal Year 2004. This critically important legislation provides our brave men and women in uniform the tools they need to accomplish their missions, but it also contains many provisions to improve their quality of life.

This bill increases the combat capabilities of our Armed Forces with appropriate levels of spending for readiness, procurement, research and development. It funds programs such as the M1 Abrams tank and Bradley fighting vehicles that are used in current conflicts, and transforms our military to

meet the threats of tomorrow with futuristic systems like the Air Force's F/A-22 Raptor. The bill provides funding to make our homeland safe by combating terrorism at home and abroad and continuing to develop a ballistic missile defense system.

Most important in this legislation, however, are the provisions aimed to benefit our current and past servicemembers. H.R. 1588 provides a 4.1 percent pay raise, and it increases imminent-danger pay. It also funds important military family housing, education and military facilities. H.R. 1588 directs improvements to the TRICARE system and survivor benefit, and it contains many other provisions for members of the National Guard and the Reserves.

I thank the chairman of the Subcommittee on Total Force, the gentleman from New York (Mr. MCHUGH), for his tremendous dedication to these quality-of-life issues.

This bill also recognizes the inherent unfairness that disabled military retirees have their retirement benefits offset by the amount of their disability benefits by providing concurrent receipt for more veterans than have ever been covered before.

Finally, I thank the gentleman from California (Chairman HUNTER) and the ranking member, the gentleman from Missouri (Mr. SKELTON), for not only their leadership of our committee but also for their work in shepherding this bill through the legislative process. They recognize that we owe all of our freedom and safety to our brave men and women in uniform and that Congress can help them in a major way with the passage of this bill. They also know how important this bill is to my district and Fort Benning in Columbus, Georgia, the home of the infantry where 37,000 active duty troops go to work every day.

In conclusion, I urge my colleagues to vote in favor of H.R. 1588.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, I rise in support of this conference report, and I thank the gentleman from Missouri (Mr. SKELTON) for yielding me this time.

I am happy to see we are finally making some progress on eliminating the unfair disabled veterans tax, but it is not enough. We must keep working to ensure that no disabled veteran has to give up their hardearned military retirement pay just because they earn disability compensation.

Under the Republican plan, veterans who are more than 50 percent disabled will begin to receive a benefit that will be phased in over the next 10 years; but this still leaves two-thirds of disabled veterans behind. In Oregon, 5,500 disabled veterans are currently penalized by this sick tax. Under this compromise, 2,000 veterans will receive some sort of relief at some point over the next 10 years, but the remaining

3,500 retired disabled veterans in Oregon who are currently penalized by this sick tax will receive no benefit under this Republican compromise.

While I am pleased we were able to take this first step, we cannot stop until all of our Nation's military retirees who are disabled as a result of service to this country are able to receive the compensation they have earned and deserve. This is a promise we must keep.

Mr. HEFLEY. Mr. Speaker, I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, the conference report before us is one I will support. It will provide adequate pay, housing and training for the men and women serving our country on active duty and in the Guard and Reserves. It funds important modernization priorities that will ensure that the weapons systems with which we equip our troops are the most advanced and capable in the world for years to come.

□ 1115

However, the report is not perfect. I am disappointed by the way in which the conference report treats civilian employees of the Department of Defense. Simply stated, the report will strip more than a third of our Federal civilian employees, over 700,000 hard-working men and women, of their most basic worker protections and rights.

I am sorry the gentleman from Virginia (Mr. TOM DAVIS) left the floor. He indicates 71 and some of the other articles that protect Federal employees will not be waived. That is technically true, but the bill allows them to be suspended for the next 10 years. So although they technically cannot be waived, they will not be in effect at the decision of the Secretary.

Let me be clear. I am not opposed to thoughtful reform of our civil service system. However, the report goes too far. It will undo decades of some of the most important worker protections enacted by Congress and supported for decades by Republican and Democratic Presidents alike.

Notwithstanding these concerns, Mr. Speaker, I will support this important agreement. I expect it to pass by a wide margin with broad support from both House Democrats and Republicans who stand squarely behind our troops and in favor of protecting our national security.

Mr. HEFLEY. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. SMITH), chairman of the Committee on Veterans' Affairs.

Mr. SMITH of New Jersey. Mr. Speaker, the Democratic motion to recommit is among the most cynical and political motions I have seen in my 23 years in Congress. And I believe, Mr. Speaker, it is a cheap shot, cynically designed and crafted to politicize disabled veterans and to mock the historic benefits increase contained in

this bill, \$22 billion in the first 10 years and at least \$57 billion over the next 20 years for disabled veterans. For example, a 100 percent service-connected disabled veterans over the next 10 years may see an increase of approximately \$167,000. That is brand new money. They do not have it now. Under this bill these deserving men and women will get it. The same goes for those whose wounds are combat related or rated 50% or above by the VA.

For the last 100 years, as we know, the unfairness of concurrent receipt has been with us. For most of those years, the Democrats had a hammer lock on the House and Senate and did nothing. In the early 90's the Democrats had it all. Bill Clinton was in the White House for 8 long years. Yet nothing was done on the Bilirakis bill. Nothing was done to reform concurrent receipt. Even this year, it wasn't in the Democratic budget. We tried to make this a bipartisan effort—today's motion is pure politics.

I am sickened by this kind of posturing. I know the game you are playing. This is all about the next election. Our bill is a victory for veterans. This will make a significant addition to the benefits received by our disabled veterans. I hope Members will vote for it.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. MICHAUD).

Mr. MICHAUD. I thank the distinguished gentleman for yielding me this time.

Mr. Speaker, I cannot speak for former Members of Congress because I am a freshman this year, but had I been a Member of Congress in the past, I definitely would be fighting strongly for the repeal of concurrent receipt.

Mr. Speaker, I rise in strong support of the motion to recommit to provide full concurrent receipt for disabled military veterans. For years, the lack of concurrent receipt, or as some have called it the disabled veterans tax, has taken benefits from the pockets of deserving military retirees. It is an embarrassment that Congress has gone this long without taking care of that disabled veterans tax. I am glad that some veterans will get relief under this bill. But all veterans deserve relief. This is a matter of keeping sacred promises.

The so-called compromise today is leaving a lot of veterans behind, including 2,038 veterans in Maine who would get benefits if we enacted full concurrent receipt for all.

I urge my colleagues to vote for the motion to recommit to provide a full benefit to all veterans. If that fails, I definitely will support the final bill to give relief to at least some of our deserving veterans, including 1,219 in Maine who will now get concurrent receipt under this bill. That is a good step forward.

But I will not give up and I will keep working until all veterans get full concurrent receipt and we eliminate the unfair disabled veterans tax on these veterans.

Mr. HEFLEY. Mr. Speaker, I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in full support on the eve of Veterans' Day of a full compensation and total concurrent receipts for all of our veterans. I want the unwarranted tax against veterans to be eliminated. I do not like the fact that 390,000 of our veterans will be left behind in this bill and will be supporting the motion to recommit but will add my support to this legislation because I hope that we can take a baby step in order to make a giant step toward providing for all our veterans.

I would ask my colleagues to go back to the drawing boards on helping our civil service employees at DOD, because overtime is a precious commodity for those trying to provide for their families. Then I think it is appropriate that we hear from Secretary Rumsfeld and Paul Wolfowitz on an exit strategy that will help our young soldiers on the front lines in Iraq because we do believe they are fighting for our freedom but it is crucial that we understand the loss of life has exceeded all speculation. And then, of course, I do appreciate the compromise that has allowed us to buy more equipment for the Air Force and the Boeing compromise of lease and option to purchase. This approach will be an effective way to balance need and costs.

And then on the eve of this very fine Veterans Day, let me pay tribute to all of our veterans, our combat wounded, and particularly those young men and women on the front lines in Iraq, those families who have lost their loved ones in Iraq and, yes, those who languish in our hospitals who are wounded. It is time now that we stand for them and provide the full support that they need. Let us leave no veteran or soldier behind.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 1588 the National Defense Authorization Act for 2004. I am supporting this legislation because our fighting men and women deserve to be properly funded. However, I have grave concerns in regards to how this legislation has been handled by the majority party in the House Armed Services Committee. I stand with Ranking Member IKE SKELTON in expressing my dismay that Democratic members were not consulted on very important provisions of this significant legislation. This Authorization bill while momentous cannot truly be considered the work of this entire body if it was not inclusive of Democratic members. Even so, I add my appreciation to Chairman DUNCAN and Ranking Member SKELTON for their sincere commitment to our Armed Forces.

CIVIL SERVICE REFORM

My concern is most evident in the lack of power civil service reform addressed in this bill. The bill claims to protect collective bargaining rights but removes all of the protec-

tions provided under the current law. Chapter 71 of Title 5 of the U.S. Code sets forth requirements for federal agencies to engage in good faith bargaining with unions and protects against discrimination based on union membership. This bill claims to make Chapter 71 nonwaivable but essentially allows the Department of Defense to waive Chapter 71 requirements for the 6-year period following enactment. During these 6 years, the Department of Defense can unilaterally establish a new labor relations system after only minimal consultation with unions and minimal notification to Congress. This new system will supersede all existing agreements negotiated between the Department of Defense and its unions.

During the 6-year period, the Secretary of Defense will have the authority to decide what issues will be bargained, whether labor-management impasses will be resolved by an outside third party, and what protections union members will have against discrimination. This authority will allow the Department of Defense to run roughshod over its unions for the 6 years, making a mockery out of the collective bargaining process. Mr. Speaker the lack of proper protection for our hard working civil service employees is unacceptable. My concern for civil service reform in this bill does not end with collective bargaining rights. In addition, this Authorization removes many vital due process and appeal rights for Department of Defense employees. Perhaps most striking is the fact that this bill removes the requirement that Department of Defense employees must receive additional pay for working overtime, working on holidays or weekends, or working in jobs involving unusual physical hardship or hazard. Both the House and Senate voted recently to protect overtime pay for private sector employees. Mr. Speaker it is disheartening that we are removing many basic rights from our civil service employees that we would normally guarantee for most Americans.

CONCURRENT RECEIPTS

Mr. Speaker I rise in full support with my Democratic colleagues in asking for the immediate elimination of the disabled veterans tax. I will support the motion to recommit. This Authorization bill leaves two-thirds of our military retirees to continue having their compensation compromised by this tax. Disabled military retirees should not be prohibited from receiving the full amount of their retirement pay while still receiving the full amount of their full disability compensation—these benefits are their entitlement; after all, we are forever indebted to them for their service. Our disabled veterans should be amongst our most cherished and recognized individuals in society, they deserve better than to be penalized for their sacrifice in battle. This body must move as a whole to adopt the proposal on concurrent receipts and eliminate this tax that is an undue burden on our disabled veterans who have already sacrificed enough for their nation.

EXIT STRATEGY FOR IRAQ

Mr. Speaker while this Authorization bill provides necessary funding for our brave fighting men and women this body must insist on receiving a report on the exit strategy from Iraq. It is pertinent that this Congress be informed how long our soldiers will have to face mortal danger. How can we reasonably assume the cost of funding our Armed Services when we have little information as to when our current conflict will end? Secretary Rumsfeld has an obligation to this body and indeed to our brave

troops to report on the administration's exit strategy from Iraq.

CHINOOK HELICOPTER

Mr. Speaker, I feel that this Authorization bill while supporting the needs of our Armed Forces may not address the need for greater protection for the Chinook helicopter that is widely used by our Armed Forces. The tragic loss of life that occurred by the downing of Chinook helicopters in Iraq illustrates the need for the implementation of defense technology to provide greater protection for the Chinook helicopters. Indeed, the Chinook is a vital instrument used by our Armed Forces to transport troops and supplies to our fighting forces on the ground. However, it is also one of our most vulnerable pieces of our military arsenal. The infrared technology aboard the Chinook makes it more susceptible to ground-to-air missile attack. I am disappointed that this Authorization bill may not address the need for modifications to the Chinook helicopter that can counteract its vulnerability. We must not allow our Armed Forces to lose more brave men and women because we did not address this glaring need, let's move to insure the safety of all fighting equipment.

While I have grave concerns about this momentous legislation I am voting in support of this Authorization. I do so because we must support our Armed Forces, as well it is long overdue that our civil service and defense employees receive pay increases.

I am also heartened by the purchase compromise reached with Boeing in this legislation. Boeing and their supporting suppliers who are based in Texas are innovative, when called upon, they are capable of responding to national security and civil market needs. It is also important in the future that contracts with the Department of Defense rely on both the lease and purchase of this vital equipment.

Mr. Speaker I hope in the future that such significant legislation as this will involve the debate and full consideration of this entire body.

Mr. HEFLEY. Mr. Speaker, I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker, I yield 30 seconds to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I thank the gentleman for yielding me this time. I profoundly appreciate the hard work that has gone into this legislation but, my friends, we know that it is 1,200 pages long, it spends \$400 billion of the taxpayers' money and no one in this body save the conference members have had more than 3 hours to read this.

It is a fine thing to stand up and say we support our troops, and we all do. But the fact is we should not be voting on this today because we have not read it. We should vote next week on this, after we have had time to think about this seriously. If we truly care about our veterans, let us care enough to read the legislation, and if we truly care about our troops, let us care enough to read this legislation.

I will vote "present" because I do not have enough information to vote yea or nay, and I regret that profoundly.

Mr. HEFLEY. Mr. Speaker, I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Speaker, I want to thank the distinguished gentleman from Missouri, who is a classmate, for yielding me this time. I want to compliment him and Chairman HUNTER on this bill. We have worked for 2 years on the tanker provisions in this legislation. I am convinced that modernizing our tankers is absolutely crucial to national security. The gentleman from Missouri and I have worked for many years to implement and upgrade the B-2 bombers which fly out of Whiteman, Missouri. We have found that in all of these deployments that tankers are absolutely crucial.

I must tell the House that the condition of our tankers today is not good. The KC-135-Es have significant corrosion. They were all built between 1957 and 1963 in the Eisenhower and Kennedy administrations. I have been on them. I have talked to the pilots who fly them. I have talked to General Handy, General Jumper and they are convinced that replacing these tankers is one of the most important things we can do to preserve our military capability. When you think about it, every time we deploy, we have to have tankers. We have to have EA-6Bs, those jammers. Both of them are very, very old and both of them need to be replaced and we need get on with it.

One of the things that I am concerned about that we still have not addressed since the Bush administration took office is the fact that we are short in procurement still 30 to \$40 billion. The big argument in the tanker issue is lease versus buy. The only reason we had to do a lease is the Air Force did not have the money to buy these airplanes. That is why we have got to get the procurement account up, General Myers says somewhere between 100 and \$110 billion. We are at \$72 billion. We have got work yet to be done here.

I am also very concerned about the provisions in this bill that deal with worker rights. We are going to continue to work on that. I hope that down the road we can exempt shipyards from those new restrictions.

PARLIAMENTARY INQUIRY

Mr. SKELTON. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman will state it.

Mr. SKELTON. Who has the right to close?

The SPEAKER pro tempore. The gentleman from Colorado has the right to close.

Mr. SKELTON. Mr. Speaker, I yield myself such time as I may consume.

Let me take a moment, Mr. Speaker. This is deadly serious business that we are about. We are providing for the troops, those who wear the uniform of the United States of America as provided by the Constitution of the United States. This is of the highest calling of our Congress. No, all the provisions in this bill do not meet with my approval

wholeheartedly or with others'. But on the other hand there is so much in this bill that takes care of the troops, their families, their needs, their capability of waging war, and we are at war, Mr. Speaker.

With that in mind, I hope that every person in this Chamber, despite the misgivings of some provisions, will support this bill with the understanding that in so doing, a vote for this bill is a vote of confidence and appreciation for those who are wearing the uniform and those families at home in whose prayers those young soldiers, sailors, airmen and Marines are.

Mr. Speaker, I reserve the balance of my time.

Mr. HEFLEY. Mr. Speaker, I yield 30 seconds to the gentleman from Florida (Mr. YOUNG), chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise, number one, to congratulate the Committee on Armed Services, led by Chairman HUNTER, Chairman HEFLEY and Ranking Member SKELTON. It is a good bill. I rise in support of the bill and against the motion to recommit.

Primarily, though, I want to compliment my friend and colleague from Florida (Mr. BILIRAKIS) for the work that he has done over the years on the issue of concurrent receipt. Veterans all over America will appreciate the determination and the tenacity that he has brought to this issue of concurrent receipt. Today is a recognition of total dedication and hard work and not willing to give up, while it has been very frustrating on occasion. The gentleman from Florida has done an outstanding job. I just want to rise today to say that. It is a heartfelt thanks to the gentleman from Florida and on behalf of all the veterans all over our great country for him having been able to make this happen today.

Mr. SKELTON. Mr. Speaker, I yield the balance of my time to the gentleman from Georgia (Mr. MARSHALL).

Mr. MARSHALL. Mr. Speaker, I thank the gentleman from Missouri (Mr. SKELTON) and the gentleman from California (Mr. HUNTER) for their leadership in pulling together a good bill. Not all of the provisions of this bill are satisfactory to everyone in this Chamber and ultimately I think this bill will pass, but I want to give us an opportunity to improve the bill by increasing the tax cut that this bill contemplates for disabled American veterans.

I have heard a reference to this being cynical. I have heard a reference to the history of the House in which there were other opportunities to end the disabled veterans tax, but I am a new guy here and I think today we have an opportunity to do what is right. If it was right 20 years ago or 50 years ago or 10 years ago, it is right now.

I am going to offer a motion to recommit. I want everybody to understand what that motion to recommit does.

□ 1130

It leaves the entire bill intact. It changes nothing in the bill with the exception of one thing: it instructs that the House conferees go as far as they can toward the Senate position with regard to the disabled veterans tax, also known as concurrent receipt. If we do that, we effectively eliminate the disabled veterans tax. We are not doing that in this bill.

We do give a tax cut to disabled veterans in this bill. It is the compromise, frankly, that has been forced as a result of all of the attention brought to this issue during this session by many veterans groups, by many on the Democratic side, by the discharge petition that I filed earlier, and because so many people have supported the Bilirakis bill in the past. Right now we have got about 370 cosponsors of the Bilirakis bill. House Resolution 303 is designed to end the disabled veterans tax. There are many on the other side of the aisle who have signed on as cosponsors of H. Res. 303 to end the disabled veterans tax. We have got an opportunity to do that right now with this motion to recommit. It is a rifle shot. It does only one thing, and that is do right by our veterans.

Some have said that we cannot afford more than this. I like tax cuts. While I was the mayor of Macon, I led the fight to lower our property taxes for the first time in 20 years. I think I am one of the few Democrats, fewer than 10, I suspect, that voted for the compromise administration tax cut that we passed earlier this year. I will vote for other tax cuts as well.

We have got to prioritize our tax cuts. We will have an opportunity right now to give tax cuts to disabled veterans that they well deserve and that we can afford if we are willing to put that tax cut toward the top of the priority list. Others here have voted for tax cuts beside this one. Now is an opportunity to vote for this. That is why I am doing this motion to recommit.

Mr. HEFLEY. Mr. Speaker, I yield the balance of my time to the gentleman from Florida (Mr. BILIRAKIS), who is not a Johnny-come-lately on concurrent receipt. He has led this fight longer than I have been a Member of the United States Congress.

(Mr. BILIRAKIS asked and was given permission to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, as to the issue of concurrent receipt, which the other side keeps referring to as a tax on disabled veterans, as the Members know, and I appreciate all the kind remarks that I have received from both sides of the aisle, but I have worked on this for 18 years, and during the first half of those 18 years, the other party was in charge, and we have to ask ourselves what was done during all that period of time. I say to the Members nothing, nothing. I am searching my mind to try to find out how many hearings we were able to have on this issue during that period of

time. We may have had one. I am not even sure we had even that. Never in any of their budgets had they even put a single penny into their budgets for full concurrent receipt, even the most recent ones. The discharge petition would bring H.R. 303 on the floor. There is going to be a motion to recommit, which basically says we have got to have the entire amount.

Why did you all not crank those dollars into your budget? You have not chosen to do so.

The gentleman has talked about his discharge petition. My discharge petition back in the early 1990s, 1993 I believe it was, failed. Where were all the signers from that side of the aisle back in 1993, or whatever that year was, when we had that discharge petition? Politics, I might say, politics, politics.

Starting January 1 of next year, the proposal will phase in full concurrent receipt for all retirees who have disability ratings 50 percent or more. It expands the combat-related special compensation program to cover all 100 percent combat-related disability categories, as opposed to those that are 60 percent now. It also extends these benefits to the Reserve and National Guard, who have not been getting it up to now.

Despite this breakthrough, Mr. Speaker, full concurrent receipt remains a priority goal for all of us. Only let us show it. Rather than just discharge petitions, let us put the dollars into the budget, if we will, on both sides of the aisle if we are really serious.

I ask everybody to vote for this bill and to oppose the motion to recommit, Mr. Speaker, for the reasons stated.

Mr. MEEHAN. Mr. Speaker, I rise today in support of the Department of Defense authorization conference report. But before I address the issues raised by this bill, I want to thank the staff for their hard work on this bill. I especially appreciate the efforts of Bill Natter of the Committee staff and Bill McCann from my personal staff. I also want to extend a special thank you to Faye Virostek, who has worked in my office as a Brookings Fellows for almost a year. Faye is tremendously talented and dedicated. She has contributed greatly to my work on the Armed Services Committee and to my office, and I wish her the best as she prepares to return to her permanent executive branch job.

I did not sign the conference report because I object to the exclusion of the minority members of the Conference Committee from deliberations over several important issues. In some cases, we were able to work constructively to reach reasonable compromise, but in others the majority was unwilling to work with us in an attempt to produce a consensus position. I do not believe that our Nation's interests or this institution are well-served by this process.

For example, the conference report mirrors the House report language to rewrite the Endangered Species Act and Marine Mammal Protection Act, two critical environmental laws.

In addition, the resolution on concurrent receipt of disability and retirement benefits fails to resolve the unfairness and hardship faced

by many veterans. I believe the debate needs to be continued on this very important issue, and I was disappointed that the majority chose to adopt a half-measure rather than solving the problem in its entirety.

I also am dismayed that efforts to clarify the Berry amendment failed. This is not a failure of the conference process, but it is a serious blow to the textile industry in Massachusetts and across the country.

Having said that, I believe the conference report is on the whole a solid proposal. At a time when members of our Nation's military are being asked to make tremendous personal sacrifices, this bill represents a step in the right direction.

I recognize the importance of providing a truly bipartisan authorization package in order to maintain the world's most capable military. To this end, the Subcommittee on Terrorism, Unconventional Threats and Capabilities, where I serve as ranking member, authorized increased spending on DARPA, chemical and biological defense, and special operations. I applaud Subcommittee Chairman SAXTON for his leadership and work on these issues, and I also want to thank Ranking Member SKELTON for all of his efforts.

While this bill generally represents a sound approach to most of the issues before the Committee, I am disappointed that its flaws were not corrected. In the coming months, I hope that we will be able to move forward and address the shortcomings in this conference report.

Mr. DINGELL. Mr. Speaker, I would have liked to offer my support to this conference report. The conference report includes a much needed pay raise and much needed support for our military families. In typical fashion, however, my Republican colleagues have taken a good bill and bogged it down with extraneous and extreme measures. The conference report does not include the stronger House language on Buy America and allows research on low-yield nuclear weapons—a practice prohibited by Republicans and Democrats over the last 20 years because it violates the non-proliferation treaty and makes it easier for questionable regimes to obtain nuclear weapons. The conference report also exempts the military from complying with two of our most important environmental laws, the Endangered Species Act and the Marine Mammal Protection Act.

When this authorization process began, Secretary Rumsfeld came to Congress and told us that in order to maintain readiness, they needed exemptions from the Clean Air Act, the Resources Conservation Recovery Act, Superfund, the Endangered Species Act, and the Marine Mammal Protection Act. Fortunately, the Congress saw fit to exclude most of what the DOD asked for with regard to environmental exemptions.

The conference report directs the Secretary of Interior to substitute the Department of Defense's land management plan, known as an Integrated Natural Resources Management Plan, for critical habitat designation under the Endangered Species Act, if the plan provides a "benefit" for threatened species. Further, the conference report does not require that the Integrated Natural Resources Management Plan benefit the species.

This is a much lower standard than the current law, not to mention the DOD has enough trouble coming up with a management plan for

things it is supposed to know about, let alone fish and wildlife. If the military is able to escape the critical habitat designation, private property owners will have to bear the burden of providing for the recovery of threatened and endangered species. This is simply not right.

Just this week, the Committee on Resources passed a bipartisan reauthorization of the Marine Mammal Protection Act. That legislation was the culmination of over 4 years worth of hearings and the testimony of dozens of witnesses. Contrary to what happened in the committee of jurisdiction, where they were able to successfully compromise to address the definition of harassment, the language in the conference report would overturn a recent court decision and construct a wall against any further litigation against the Navy.

Over the last 5 years our troops have toppled a dictator in Iraq, stopped a genocide in Kosovo, and defeated the Taliban in Afghanistan. Our troops prepared for those missions without exemptions from our cornerstone environmental laws—laws that administration officials and the General Accounting Office do not believe are hampering our military readiness.

Indeed, former NATO Supreme Allied Commander, General Wesley Clark recently stated, "Additional exemptions aren't needed. I spent a lot of time in the Army and, in all my years of service, complying with the environmental laws never compromised the military readiness of troops under my command." Mr. Speaker, we need to ask ourselves why we are passing language that neither the Resources Committee nor a four-star general deem necessary.

In short, Mr. Speaker, I regret that I cannot support this conference report. I must draw a line in the sand. My Republican colleagues have got to stop looking for ways to put bad and extraneous language in good bills in an attempt to force the hands of those who disagree with them.

Mr. LANGEVIN. Mr. Speaker, as a member of the House Armed Services Committee, I am pleased to speak in support of the bill before us. I wish to thank Chairman HUNTER and Ranking Member SKELTON for their leadership in completing action on this legislation, which provides our military—and the men and women who serve in it—the resources they need to keep America strong in the 21st century. The military pay increase and the enhanced benefits for active and reserve personnel recognize the valiant efforts of the men and women who have ably served our Nation, and the development and procurement of state-of-the-art weapons systems will provide them with the tools they need to continue their mission of excellence.

I am particularly pleased with provisions in the legislation that demonstrate Congress's commitment to the role of submarines as an essential part of a strong naval fleet. Passage of the conference report today will represent the final step in a historic agreement to permit multi-year procurement for the Virginia-class submarine. This agreement will encourage more rapid and cost-effective production of this important system—saving the U.S. taxpayer an estimated \$115 million per submarine—while giving the United States Navy new capabilities to respond to future threats. Multi-year procurement will also provide greater stability in southeastern New England's defense industry, and I know that the people of Rhode Island are proud to have a role in this

important aspect of military transformation. I wish to convey my deepest gratitude to Chairman HUNTER and Ranking Member SKELTON of the Armed Services Committee, as well as Chairman JERRY LEWIS and Ranking Member JACK MURTHA of the Defense Appropriations Subcommittee, for their work to help this effort reach fruition.

This legislation takes another step toward providing concurrent receipt to our Nation's disabled military retirees, though the language falls short of our obligations. As a cosponsor of H.R. 303, I believe we must fulfill our promises to our Nation's veterans by allowing them total access to both their retirement pay and disability benefits. Next Tuesday, our Nation honors those Americans that have protected our Nation, and we must honor their service by providing them with the benefits they have earned.

Unfortunately, today's agreement contains language that may undermine important civil service safeguards for civilians within the Department of Defense, as well as existing environmental protections. I urge Chairman HUNTER and Ranking Member SKELTON to schedule hearings on these topics in the coming months so that our committee may exercise appropriate oversight authority and ensure that the implementation of these new policies does not undermine decades of efforts by Congress to protect our environment and federal workforce.

Overall, this legislation represents an important investment in the defense of our Nation, and I urge my colleagues to support its passage.

Mr. ACEVEDO-VILÁ. Mr. Speaker, the Defense Authorization Conferees should be commended for rejecting efforts to undermine the agreement signed by President Bush that provides important protections for how Naval Station Roosevelt Roads is to be closed. It was particularly critical because this is a very sad week in Puerto Rico, as Puerto Rico has lost three of our young men and one woman who were serving on active duty in Iraq. It would have been a cruel irony for the Defense authorizers to remove fundamental BRAC protections for Puerto Rico at the same time Puerto Ricans were paying the ultimate sacrifice by serving our country.

Last spring the U.S. Navy announced downsizing plans for Roosevelt Roads. The Navy followed its announcement with the planned departure from the Vieques training range—a result that was the fruit of innumerable debate and struggle. In subsequent testimony to Congress, the Navy professed high operational costs and personnel requirements stemming from the continued operation of Roosevelt Roads and implied the base should close.

Of course, downsizing and the implications of closure have taken their toll and it has been a sordid year for Roosevelt Roads, those who work or worked there and Ceiba, Puerto Rico—the community the base has called home for the past 60 years. The Navy's own pronouncements estimated the base brought \$300 million annually to the local economy. The region around base, with 14 percent unemployment, can ill afford a drawn out redevelopment process.

During negotiations with defense appropriators and the U.S. Navy, we reached a compromise that was enacted under which Roosevelt Roads would close in a 6-month time-

frame in accordance with the BRAC (base realignment and closure) process. This compromise would afford the Navy a quick departure and cost savings, while keeping with the important protections and procedures required by BRAC. It would also provide Puerto Rico with the much-needed economic development opportunities provided through redeveloping the base. This proposal was agreed to and signed into law on September 30.

In the midst of the defense authorization conference, out of scope proposals surfaced to thwart such progress. The proposals ranged from requiring a report to Congress and subsequent 360-day waiting period for any and all Roosevelt Roads property disposals to mothballing, or leaving the base on inactive status, allowing the land to waste away without a clear plan for redevelopment and creating additional uncertainty among the community. While I appreciate that all out of scope items in conference have been dropped, I fear that punitive efforts may surface yet again as base closure and redevelopment continues.

The recent proposals are stalling tactics void of merit and driven by angry politics stemming from deep resentment held by those who strongly opposed closing the Vieques training range. Let the past become the past. Let's move forward with the best interest of the U.S. military and the American citizens in Puerto Rico in mind.

If enacted such tactics would have continued to cost the Navy money and drain personnel resources, while hindering meaningful economic opportunity for Puerto Rico. Under such a scenario, American citizens in Puerto Rico would remain without jobs while base redevelopment plans sat in limbo.

Puerto Ricans care deeply about their common citizenship and continue to serve valiantly in our military. What should soldiers think of such punitive, political squabbling about a base closure at home, while they fight overseas? As it was President Bush who authorized the Navy's departure from Vieques, he too has stated on many occasions that we all should avoid politicizing military affairs when our troops are abroad.

I have included for the RECORD a letter co-signed by fellow Members of the Congressional Hispanic Caucus. Such support is much appreciated. Further, I want to thank Ranking Member IKE SKELTON and his Senate counterpart CARL LEVIN for their strong commitment and leadership on this issue.

I find it troubling that the bipartisan deal that took place on Defense Appropriations might someday be undermined by such resentful politics, especially given the difficult challenges we now face, and the sacrifices we ask of our troops. I will continue to fight against these punitive efforts while at the same time I will pursue dialogue with those colleagues who may still consider punishing action against my constituents.

It certainly would be in the best interest of the Navy, the people of the local community, and the future of Roosevelt Roads to set these new proposals aside, and continue working to redevelop the base and rejuvenate the local economy. We Members of Congress have more pressing matters to consume our time.

Ms. DEGETTE. Mr. Speaker, given our current military situation in Iraq and Afghanistan, I believe it is incumbent upon us to send an unequivocal message of support for our troops

who are currently in the field. It is equally important that we provide veterans—those who have made sacrifices in order to protect the safety of our country, the benefits they have rightfully earned.

Not since the Korean War have we as a country relied on the members of our reserve forces and National Guard as we do now. We are depending on them to preserve the peace in Iraq and protect our safety at home. We have uprooted them from their families, taken them away from their jobs and put them in the line of fire. Yet, it is not uncommon that after serving in Iraq and Afghanistan, members of the Reserve forces return home without the basic benefits they so rightfully deserve. While this legislation is far from perfect, it takes an important step by ensuring that activated members of the Reserve forces and National Guard and their families receive health benefits.

Importantly, this legislation extends the increase in "combat pay" and a Family Separation Allowance for all of our troops who are currently serving in the military. Given the sacrifice that our troops make in the name of protecting our country, it is only right to guarantee that they and their families have adequate financial resources in their time of need.

Additionally, this legislation addresses the unfair Disabled Veterans Tax. It allows certain disabled military retirees to receive both their retirement and disability benefits. However, it only allows concurrent receipt of these benefits for one-third of the approximately 700,000 disabled veterans. I believe this is sorely inadequate and is the reason why I voted to recommit this bill so conferees could have the chance to repeal the entire Disabled Veterans Tax and let all disabled veterans rightfully receive both their military benefits as well as their retirement benefits.

While I do not believe this bill is perfect and I am particularly concerned with certain provisions regarding civil service reform and the environment, I do believe that given our current military obligations, it is essential that we support our troops. By extending benefits for our troops and veterans, we are guaranteeing that those who have dedicated their lives to serving our country are not left behind during this critical time.

Mr. FARR. Mr. Speaker, I rise today in opposition to the Conference Report of H.R. 1588, the Defense Authorization Act. This bill contains anti-environmental provisions that roll back fundamental protections of the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA).

H.R. 1588 exempts the military from protecting endangered species. Provisions in this Conference Report compromise the survival of some 300 threatened and endangered species living on military lands by prohibiting the designation of critical habitat as mandated under the ESA. Instead, military lands will be managed under Integrated Natural Resources Management Plans, prepared by the Secretary of Defense. Currently, such plans have no definitions, no standards, and no limits.

Such sweeping changes in the management of species living on military lands are completely unnecessary. Sea otters and toads do not and will not prevent our military from being the best trained and prepared in the world. But if for some reason the toads rise up, the military already has, but never has used, a national security exemption as part of ESA. The

military has shown so little previous concern with this issue that it was only in March of this year that the Department of Defense began developing guidance on how to assess and process exemptions requests inappropriate situations.

Marine mammal protection is under its greatest fire today. Although unnecessary from the start, a full exemption from the MMPA was granted for military readiness activities in the version of this bill that passed the House on May 22, 2003. The Senate version of the bill contained no MMPA exemption for any reason. How then did it come to pass that the Conference Report we debate today broadens the exemption to include scientific research activities by the Federal Government? The Conference Report, agreed to by Republican conferees behind closed doors, opens gaping loopholes in the management of marine mammals and creates unequal standards for ocean users. This is both unfair to the marine mammals struggling to survive and to the shipping, fishing, and tourism industries, which will now be held to different standards under MMPA than scientific researchers and the Navy.

The "encroachment" of civilian communities on military managed lands is a serious problem as the separation between where people live and where the military trains decreases. As such, there has never been a more necessary time for the military to look out for the public's best interest. The public wants and needs a healthy and well-managed environment and for the military to be held to complying with our nation's fundamental environmental protection laws. The military should be listening to its neighbors and respecting their requests, and Congress should have listened to its constituents and prevented the weakening of the ESA and MMPA.

Mr. CARDIN. Mr. Speaker, I rise in support of H.R. 1588, to authorize military spending for fiscal year 2004. This bill authorizes the funding necessary to defend our country and promote our interests throughout the world. The bill makes significant enhancements to our combat capabilities, continues our efforts to transform the military to meet the terrorist threats of the 21st century, and provides a number of new benefits to American soldiers throughout the world.

Congress has a responsibility to work with the President to protect the national security of our nation. When our soldiers are sent in to war, it is the Congress's responsibility to make sure that all resources necessary are provided to carry out their missions.

I stand behind our brave men and women who have performed admirably in Iraq and Afghanistan. They have made tremendous sacrifices on behalf of their country and have served longer deployments than expected. Much of the funds in this bill will go directly to support our troops in Iraq and Afghanistan.

Under this bill our men and women in uniform will receive a 4.15 percent average increase in base pay. At the same time the bill reduces the average amount of housing expenses paid by service members from the current 7.5 percent to 3.5 percent, and eliminates out-of-pocket expenses completely by fiscal year 2005. The bill also extends special pay and bonuses for active duty personnel through the end of 2004. Family separation allowance for service members with dependents is increased, from \$100 to \$259 per month. The special pay rate for those subject to hostile fire

and imminent danger is increased from \$150 to \$225 per month. The legislation also extends TRICARE health coverage to National Guard members and reservists and their families if such servicemembers have been called to active duty. The bill also authorizes nearly \$10 billion for military construction, family housing, medical facilities, and child development centers.

This legislation also continues the transformation of our military to meet new challenges of the global war on terror. The bill funds research and procurement of countermeasures to protect troops and the homeland from chemical, biological, and nuclear attack. It increases weapons and equipment procurement for Special Operations Forces. It funds programs to dismantle, secure, and eliminate weapons of mass destruction and facilities in Russia and the former Soviet republics.

There are several significant shortcomings in this legislation, however, that I would like to discuss.

This conference report contains an inadequate proposal to address the Disabled Veterans Tax imposed on our military retirees. Under current law, military retirees are taxed one dollar of their retirement pay for every dollar they receive in veterans disability compensation. Denying service-disabled men and women the benefits they have earned breaks our promise to those who placed their lives on the line for America's freedom. Any veteran with a service-connected disability, regardless of the length of his or her military service, can retire from a federal civilian job and receive both retired pay and disability compensation without penalty.

America's troops are united as they serve in Iraq and Afghanistan and here at home. Our veterans were united as they fought for our country. They remain united today in their love for our nation. But the Disabled Veterans Tax compromise before the House today seeks to divide them. It leaves behind more than 390,000 disabled military retirees—more than two-thirds of those who would receive full compensation under HR 303. Those retirees with a Purple Heart or combat-related disability would be eligible this January. Others who have 50 percent or greater disability would have to wait for ten years to receive their full benefits. Those with less than 50% disability still will not receive one penny of compensation for their disabilities.

Because this compromise is phased in over a ten-year period, many of our older veterans, particularly those from World War II and the Korean War, may not live long enough to receive the full benefits to which they are entitled. In my district in Maryland, there are 1,519 veterans who are now subject to the Disabled Veterans Tax. This bill leaves 1,000 of them behind.

More than 85 percent of the members of this House have cosponsored HR 303, yet the compromise before us falls far short. Many of my colleagues also signed the discharge petition that would compel the House to consider this bill. For these reasons, I urged my colleagues to support the motion to recommit. It would have stripped from the bill the inadequate compromise language that only helps two-thirds of America's veterans, and replace it with full, immediate concurrent receipt. Our disabled military retirees deserve no less.

I am also disappointed that conferees chose to include in this bill a far-reaching plan to revamp the DOD civilian employee system.

Under this agreement, more than 700,000 civilian workers in the Defense Department will lose fundamental protections that have been in place since President Kennedy's administration. These protections were put in place to safeguard against the patronage, political favoritism, and nepotism that were rampant before the advent of the civil service system.

These DoD employees will lose many of their current due process rights. The conference report retains the right of employees to appeal to the Merit Systems Protection Board but only as an appellate body. As a result, DoD civilian employees would have far fewer rights to appeal personnel actions than other civilian employees have. They would lose guarantees on overtime pay, hazard pay, weekend pay, and holiday pay. Finally this provision empowers Secretary Rumsfeld and all future Secretaries of Defense to create an entirely new personnel system for DOD civilians. I am also very concerned that enactment of these provisions will set a dangerous precedent that will lead to erosion of protections in other federal department and agencies. In these times of uncertainty and turmoil, we are asking more of our civil servants than ever before in our history. To remove these important safeguards now is the wrong thing to do.

In sum, Mr. Speaker, I am disappointed that we have failed to provide the full concurrent receipt to our veterans that they deserve, and that we have eroded some of the civil service protections for Defense Department employees. However, I will support this legislation because it provides additional resources for our troops in Iraq, Afghanistan, and throughout the world as they prosecute the global war on terrorism. Our military must be given every available tool for its arsenal as it combats emerging threats to our soldiers and our homeland.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in support of H.R. 1588, the FY 2004 Department of Defense Authorization bill.

However, I believe that this bill is far from perfect. It does not fully support veterans' disability issues, collective bargaining for civilian personnel, and protection for the environment. It is unfortunate that these issues suffered due to the political process. I did support the motion to recommit in hopes that these critical issues could be further discussed, but that motion failed.

If we were not in a time of war I would not support this bill. Yet, our brave men and women deserve all the protections and assistance we can provide, and I will do all I can to support them.

While I am voting against the report, I do support the outcome of the Conference Committee regarding overseas voting provisions for the military. I am pleased that language referring to ballots submitted by members of the military stationed overseas was not included in the report. The issue of ensuring the integrity of overseas military members' ballots has been addressed in the Help America Vote Act (HAVA), and I believe we must await the full implementation of HAVA before considering any changes. Therefore, I did not believe that some of the suggested changes were necessary.

Ms. WATERS. Mr. Speaker, I rise to express my disappointment in this conference report. I regret that I must oppose it.

I support our troops and our veterans, and applaud the conference report's improvement in pay for our troops, but there are far too

many things wrong with this bill. For example, under H.R. 1588, environmental standards are weakened and worker rights are severely limited. Yet again, the Republicans have placed a higher priority on partisanship and special interests than doing what is right for our country and our service men and women.

But, of all the many problems with this conference report, the most disappointing is the section on concurrent receipt that fails to end this horrendous policy for many of our disabled veterans. For months, the Republicans have refused even to allow a vote on H.R. 303 which would end the disabled veterans tax for all of our veterans. But now in a half-hearted attempt to appear responsive to the overwhelming demands of Democrats and veterans groups to repeal this tax, the Republicans have thrown our veterans a bone—a partial repeal of the concurrent receipt policy.

It is estimated that, under the Republican plan, two-thirds of disabled veterans will not receive one penny of compensation for their disabilities. This is unacceptable. Our veterans deserve all of the benefits that they have earned. Our veterans have sacrificed in order to ensure our freedom and safety. Congress must now do its part. Congress can and must completely end the disabled veterans tax—immediately.

Mr. ORTIZ. Mr. Speaker, I thank Chairman DUNCAN HUNTER and Ranking Democrat IKE SKELTON for their leadership on this important bill.

Our young men and women in uniform are performing magnificently right now in Iraq in a difficult and developing mission. They are also performing magnificently in Afghanistan, and elsewhere around the world where the global war on terror takes us. It falls to the Congress to make sure our troops have what they need to prosecute this war on all fronts. Certainly all of Congress agrees that our soldiers in the field deserve to get all they need, no matter what.

The central feature of today's bill is a huge step forward on the issue of concurrent receipt. Finally, we are acknowledging the inherent unfairness of having long-time service members chose between retiree pay and disability. We didn't get nearly what we wanted, nor what these military retirees deserve . . . but we made significant progress on advancing the cause of expanding the phase-in of concurrent receipt.

This bill provides much needed support for our military including: a pay raise of 4.15 percent for uniformed services, further reducing out-of-pocket expenses for servicemembers, increasing allowances for family separation and danger pay, and modestly increasing the force structure of the Army and active Reserves and National Guard.

DOD did not get all the power it wanted when it comes to contracting out civilian jobs, but I am very uncertain about what lies ahead for civilian workers. We made some progress in the negotiations, but the strong language in the House bill put quite a pall over the future of a viable civilian service. We have a very tough road ahead. And, I maintain the Secretary is just wrong on this one—a strong civilian workforce performs the core functions of the military better, and cheaper, in-house.

Today's package, and our passage of it speaks, we hope, to the needs of our military and offers them the concrete understanding that this Congress considers our military men and women our ultimate responsibility.

As we move forward, I will be working to do more to ensure our military retirees eventually get a full concurrent receipt.

I will keep a very close eye on the plans and activities of the Department of Defense as they proceed with their plans for civil service workers. I want to ensure that our civil service workers remain the viable, strong workforce our national security demands.

Mr. RUPPERSBERGER. Mr. Speaker, I rise in support of H.R. 1588 the Defense Authorization Conference Report. While this conference report has some deficiencies it also has a number of positive points that I support.

Initially when this Defense Authorization was drafted compromises were reached that would allow the DoD to have flexibility and at the same time providing labor protections. Unfortunately, the conference report language has been redrafted and allows DoD to wipe away these protections. It is unfortunate that civilian defense employees are not receiving the same protections. I would hope that we can work to ensure workers rights at the Pentagon. These men and women serve our country and are also fighting to protect our freedoms.

While this conference report has begun to address the issue of concurrent receipts for veterans it does not fully solve the problem. We need to make sure all veterans receive this benefit. It takes a step in the right direction, but it does not fully solve the problem.

This conference report also calls on the Secretary of Defense to submit to the House Intelligence Committee a report on the preparation for and conduct of our military operations under Operation Iraqi Freedom.

I am thankful that the F-22A Raptor received additional funding. The Raptor is the new front line jet fighter for our Air Force. This aircraft will give us complete air superiority. I am proud to say that we build this radar system in my district.

The Authorization also contains additional funding for the Shadow 200 Unmanned Aerial Vehicle. This vehicle which is again built in my district played a vital role in Iraq in providing our troops with an aerial view of the battlefield to give our troops a tactical advantage. Because of the success of this vehicle the National Guard is now interested in the unit and has requested funding for it.

I am happy to say an amendment I inserted into the Defense Authorization has been accepted and will be a part of this authorization. My Amendment calls for employee surveys of leadership and management performance. This survey will help to promote efficiency and allow for the recognition of achievement and increase best practices in an agency. It is important that we allow employees to take ownership of where they work and to make them part of the team.

Again, I rise in support of this conference report.

Mr. ABERCROMBIE. Mr. Speaker, I rise in support of the conference report for the Fiscal Year 2004 National Defense Authorization Act.

I would first like to recognize our Committee leadership, Chairman HUNTER and Ranking Member SKELTON, for the bill they have crafted to address the immediate needs of our Armed Forces. Our Committee has a long tradition of working across party lines to ensure the readiness and well-being of our Armed Forces, and I am pleased to have participated in yet another cooperative effort with my

Armed Services colleagues. Unfortunately, this bipartisan spirit did not extend to the more controversial aspects of the Defense Authorization Act, especially the reworking of the civil service system and yet another compromise on the Disabled Veterans Tax. On the balance, however, this bill establishes good policy for our troops when they need it the most.

H.R. 1588 offers the pay and benefit measures that our Armed Forces deserve. We put together another healthy across-the-board pay raise—4.15 percent—as well as targeted raises of up to 6.25 percent for mid-grade and senior noncommissioned officers and select warrant officers. We have also extended special pay provisions for the men and women deployed around the world. Hostile fire and imminent danger pay will be raised from \$150 per month to \$225 per month through December 1, 2004, while family separation allowance (FSAA) will increase from \$100 to \$250 per month.

In an effort to address the issue of military readiness, H.R. 1588 also includes TRICARE health benefits for deploying Reservists. We have been undermining our own system by relying on Reservists to be ready to go when called but failing to provide them the required medical coverage to ensure deployment-level readiness. Through this new authorization, the Department of Defense can provide immediate medical and dental screening and care for selected Reservists who are assigned to a unit alerted or notified of mobilization. Non-mobilized Reservists currently without health insurance will also be able to enroll in TRICARE on a cost-share basis. With the burden on our Reserves at an all-time high, providing basic coverage is the least we can do for those called to serve.

One of the worst aspects of this legislation is the wholesale dismantling of our Department of Defense civilian workforce. Under the conference report before us, some 700,000 federal employees will be stripped of their rights and protections in the current civil service system and placed at the mercy of political appointees in DoD. The Defense Authorization Act, as written, provides no guidelines for a new civilian personnel system; rather, it gives almost unchecked power to Secretary Rumsfeld to create a system of his own design. We have heard testimony about pay for performance and pay banding, but none of this is codified in the legislation. It opens the door to political patronage and cronyism—the very abuses which the civil service system was enacted to prevent in the first place. Our committee held exactly one hearing on the civil service portions of this bill, and that hearing was held only after Committee Democrats raised an outcry. The hearing was hastily organized with one day's notice and hardly allowed for the in-depth examination due such a sweeping proposal. Let me be clear—this process has been a farce and nothing less than a slap in the face to our DoD civilian workforce. We praise these men and women in one breath, and in the next, dismiss them as expendable. In passing this provision, Congress will abdicate its constitutional responsibility and cede our authority in this matter to the Executive Branch. I am deeply disappointed that the Administration felt it necessary to interfere in this conference and prevent us from adopting the much more moderate and sensible legislation crafted in the Senate under the leadership of Senator COLINS.

Likewise, I am dissatisfied with the partial rollback of the Disabled Veterans Tax. For years I have cosponsored and supported legislative efforts to allow disabled veterans to receive their full retirement annuity in conjunction with VA disability pay, and year after year, we are only able to come up with half-hearted measures. The so-called solution before us will take ten years to rectify the unfair penalty. Our veterans cannot wait until 2014 to finally see the compensation they rightfully earned, in numerous cases many years ago. It is shameful that our Republican colleagues are unwilling to budget the funding for those who have already made so many sacrifices in behalf of our Nation but yet are all too willing to send more young men and women down the same path in harm's way. I truly hope that we can reexamine this phased-in approach next year and accommodate all disabled veterans equally and immediately.

As the Ranking Democrat on the Subcommittee on Tactical Air and Land Forces, I am happy to report that we have done well by the major Army and Air Force acquisition programs under our jurisdiction. The bill carefully balances current hardware needs with development and procurement of future systems. Modernization of our Bradley Fighting Vehicles and Abrams tanks will ensure the capability of our heavy armor divisions and our industrial base. I am particularly pleased that we have funded the Stryker Medium Armored Vehicles at the Administration's request for both procurement and research and development. Stryker represents the bridge between current Army legacy systems and the networked Future Combat System; through Stryker, our soldiers will hone the skills necessary for the transformation to the fast and lethal warfare of the 21st century.

I would like to thank the Committee staff for their tireless work over the past several months in putting together the best bill possible. I would especially like to thank the Tactical Air and Land Forces Subcommittee professional staff, J.J. Gertler, Bill Natter, and Doug Roach, for their dedication, professionalism, and invaluable expertise throughout the year's work.

We have a bill that we can largely be proud of. Again, I urge my colleagues to support this measure.

Mr. BACA. Mr. Speaker, I rise in support of the motion to recommit the Defense Reauthorization Conference Report. We must say no to the veteran disability tax and support concurrent receipt.

As a veteran, and as a Member of Congress, it is my duty to fight for the veterans who fought for our freedom. We must make sure that our veterans receive the benefits and healthcare that they have more than earned.

To take money away from our veterans while giving tax cuts to the wealthy is disgraceful.

I don't understand how House Republicans can vote to cut \$14 billion from veterans' benefits, and then send 130,000 troops to Iraq.

While America's wealthiest receive huge tax cuts our soldiers die overseas. And for those that do come home, they want to cut their benefits. Our soldiers deserve better.

Right now, 520,000 veterans' benefits claims are still pending in the VA. Some of these claims involve soldiers that served as long ago as the Korean War.

I have even introduced a bill to try to solve this problem, H.R. 1264 that will help reduce

this backlog of claims. This is the type of help our veterans need.

It is shameful that our disabled veterans cannot receive disability pay without receiving a cut in their pension. Veterans should not be forced to give up one dollar of their pension for every dollar that they receive in disability pay. A veteran must not be punished for being disabled.

I cosponsored H.R. 303, the concurrent receipt bill. And I signed the petition that would have brought this bill to the House floor despite Republican opposition.

Our veterans are simply waiting for what they are owed—their disability pay and their full pensions.

Our veterans are dying at a rate of 1,000 a day. The Republican plan will not aid the veterans that need help now.

Under the Republican plan only one-third of the disabled veterans will get the help that they need. This is unacceptable and our veterans deserve better.

Our veterans need our help. Let's not keep them waiting any longer.

I urge my colleagues to support concurrent receipt and send this report back to conference.

Mr. BLUMENAUER. Mr. Speaker, I spoke against this bill when it was on the House Floor and, unbelievably, it's gotten worse in Conference. I am frustrated that on the week before Veterans Day, the conference report keeps moving further away from what the military, veterans, and Americans need. The most fundamental function of our national government is the defense of our nation. Today, this function is more important, and we are spending more on national defense than ever before. The conference report that we are debating this morning carries a \$401.3 billion price tag, which means that the United States will be spending over a billion dollars a day, and more on our military than do the next 25 nations combined. This bill certainly spends enough to do the job, however it is full of provisions that not only waste tax dollars, but even threaten Americans' health and safety.

I am pleased that the Defense Authorization bill starts to reduce the tax on disabled Veterans, which is long overdue. However, I am disappointed that the bill would only partially end the tax—leaving out two-thirds of military retirees affected by the tax and forcing those covered to wait 10 years for full benefits.

I am also extremely disappointed that the conferees chose to eliminate the 1993 ban on low-yield nuclear weapons. The House bill allowed research but maintained the ban on development activities that could lead to the production of a destabilizing and unnecessary new low-yield nuclear weapon. However, conferees accepted the Senate language that also allowed research but eliminated the ban. Fortunately, Congressional approval is required before these dangerous weapons can be produced, and I hope that this never occurs. Producing a new generation of low-yield nuclear weapons increases the likelihood they will be used in conflict, breaking a taboo that has been in place since World War II. Developing new types of nuclear weapons sends the wrong message to other nations. America must lead by example if the threat of nuclear weapons is going to be eliminated.

This bill is missed opportunity to focus on real priorities. The anti-environmental provisions in this bill are especially frustrating. Instead of addressing real threats to readiness,

the administration and the Republicans in Congress are taking on an easier target, dolphins. Using defense as cover, they are proposing changes to environmental laws that have nothing to do with defense readiness.

As the largest owner of infrastructure in the world and also the biggest polluter, the Department of Defense should be setting the best example, not getting permission from Congress to cut corners on the protection of the environment and the health of our communities.

The Conference Report includes modified House language that would prohibit designation of critical habitat under the Endangered Species Act if the Secretary of the Interior determines that the Integrated Natural Resources Management Plan prepared by the Secretary of Defense will provide "a benefit" for endangered and threatened species on military lands. However, there is no definition of "benefit."

We have seen that critical habitat designation is not the problem on military lands. This conference report misses the real threat to military readiness: encroachment of development around bases. This is the same sprawl and unplanned growth that threatens our farms and forestlands, pollutes our air and water, and congests our roadways, and this is the real threat to our ability to train and maintain the world's mightiest fighting force.

Across the country, from Ft. Stewart, Georgia, to Camp Pendleton, California, development is threatening the armed forces' ability to fly planes, maneuver and conduct other readiness activities. This has led the State of California to pass their Senate bill 1468 which recognizes the long-term operations of military installations must involve a partnership between the State, local agencies and the Federal Government. It provides the military, environmental organizations and local planning agencies the tools to work together to fight common enemies of military readiness like suburban sprawl. But this proposal is completely absent from the legislation coming before us.

The Conference Report also retains controversial House language that would reduce protections for marine mammals. New language, added in conference, would also apply the weakened standards to any research activities by the Federal Government (or contractors), creating a double standard as current law would continue to apply to citizens and the private sector.

In addition, key conservation terms of the Marine Mammal Protection Act are altered in order to overturn a recent Federal court of appeals decision regarding the impacts of Navy sonar technology. The bill allows the Department to exempt itself from what's left of the Marine Mammal Protection Act for anything necessary for national defense. It excludes any meaningful involvement of the wildlife agencies, the States, Congress and the public in review of these exemptions. This contradicts language passed unanimously this week by the Resources Committee—the House committee with exclusive jurisdiction over the MMPA—which does not contain any special standards or exemptions for DOD. This has raised the ire of both Democratic and Republican Resources Committee Members participating in the Conference.

Not only are these provisions harmful, they are also unnecessary. Under current law the Department can already waive environmental

laws when it's necessary for national security. There has never been a case where a waiver has not been granted for military necessity.

The defense authorization bill is also wrong on a very fundamental level. It is missing an opportunity to use the Department of Defense to set the highest standards. Given adequate resources and the right orders, our Department of Defense can achieve any mission. We are missing that opportunity. As the wealthiest and most powerful country in the world, we ought to be able to figure out how to better address this problem without compromising the environmental survival of what we are fighting to protect.

It is arrogant and hypocritical to let the Federal Government off the hook for environmental regulations. We will impose them on small business or local governments but not on us ourselves.

I oppose this conference report because we are spending too much on the wrong things and not enough on strategies that will make our Department of Defense more sustainable over time. The spending is too heavy on weapons research and too light on relieving the stress on our fighting forces. We can and must do a better job shaping our Nation's defense policy.

Mr. SMITH of Texas. Mr. Speaker, I support H.R. 1588, the Department of Defense Authorization bill, which includes concurrent receipt for disabled military retirees and veterans. Currently, disabled retiree and veterans' benefits are offset by the amount of disability pay that they are eligible to receive. The legislation corrects that unfairness.

Members of Congress representing hundreds of thousands of retirees and veterans came together to achieve a significant, victory for disabled retirees and veterans. We fully support our soldiers—past and present.

The bill is fair, responsible, and appropriately recognizes the service of our nation's disabled retirees and veterans. It establishes a concurrent receipt for more disabled military retirees and veterans than ever before, and provides them with the retirement income they have earned and deserve.

Under current law, a disabled military retiree or veteran could be entitled to \$1,000 a month in military retirement and \$300 a month in disability. But the amount of the disability payment is subtracted from the retirement pay, leaving the soldier with a check for \$700 in retirement and \$300 in VA disability. A retiree or veteran is no better off if they suffered a disability than if they didn't. The legislation eliminates this inequity.

Active duty combat retirees and veterans who are 60 percent disabled and above now have full concurrent receipt. The key part of the agreement expands full concurrent receipt to all combat retirees and veterans with a Veterans Administration disability between 10 percent and 100 percent.

The agreement not only provides a full concurrent receipt benefit for active duty retirees and veterans, but also for reservists and national guardsmen who currently do not qualify for concurrent receipt under either Purple Heart or combat-related disability pay. The reservists and national guardsmen will receive full concurrent receipt if their disability is between 10 percent and 100 percent.

The legislation establishes benefits for those remaining retirees and veterans at 50 percent disability and above. They presently do not re-

ceive any benefits. That means every disabled military retiree and veteran with a disability greater than 50 percent will be entitled to concurrent receipt.

It also creates a 13-member bi-partisan commission appointed by Congressional leaders and the White House. Under the commission, for the first time since 1946, there will be a top-to-bottom review of the disability system. The commission's goal is to review the disability system to ensure that the appropriate benefits are provided to our retirees and veterans.

From World War II to Vietnam, from the Persian Gulf War to the War on Terror, we provided our active military with the tools they need to do their jobs, and our retirees and veterans with the proper benefits for their years of service. The concurrent receipt agreement follows that tradition and honors those who have served our country.

Mr. MATHESON. Mr. Speaker, I have always been a strong supporter of the military and I'm well aware of the unconventional war we face against terrorists. However, I continue to oppose the nuclear weapons related provisions in this year's defense authorization bill.

No one is arguing about the need to find new technologies with which our nation can combat deeply buried targets, particularly those held by terrorists. At issue is whether Congress needs to resort to repealing the Spratt-Furse prohibition on nuclear weapons development and encouraging the production of new weapons.

There is a disconnect in the federal government between weapons development and the realistic application of nuclear weapons. Advocates of new nuclear weapons see them as just another tool in the War on Terror, without realizing nuclear weapons work best as a deterrent, not as first-use weapons.

Supporters of the Robust Nuclear Earth Penetrator and new nuclear weapons, argue that the current authorization language is strictly limited to weapons research and development in Department of Energy labs. This claim ignores the obvious end result of weapons development—weapons design does not occur in a vacuum. In order for our soldiers to use nuclear weapons in combat, these weapons must first be physically tested, most likely at the Nevada Test Site. The federal government's poor record on weapons testing and containment of fallout is lengthy and disappointing, at best.

Like many Utahns, I come from a family of downwinders. My father, as well as other loved ones, developed terminal cancer after he was exposed to radiation from Cold War nuclear weapons tests conducted by the federal government. I do not believe that we should even consider a resumption of nuclear weapons testing when rational alternatives have not been fully explored.

I have already seen too many Americans succumb to then-unforeseen consequences of weapons testing. Advances in containment technology are certainly possible, however, the current circumstances do not lend themselves to a resumption of nuclear weapons testing and I will do everything in my power to avoid that end result.

Mr. FILNER. Mr. Speaker and colleagues, I rise today in opposition to the very limited provision to address the unfair disabled veterans tax in the Defense Authorization Act.

Currently, veterans who retire with 20 years of honorable service and who also have a

service-connected disability are not permitted to collect both military retired pay and VA disability compensation. In essence, they are paying for their own retirement. We must stop penalizing our disabled veterans in this cold and unfeeling manner.

Our nation's veterans and many, many Members of this House have been fighting for so long for the elimination of this tax for all retirees. We are now so close to victory. We cannot settle for the partial concurrent receipt measure that is included in this bill.

This proposal is simply unacceptable. It gives less than half a loaf and spreads it over ten years. It is naive at best and callous at worst.

The proposal leaves approximately 400,000 military retirees without relief. In my state of California, fully 38,000 are left out of this Republican proposal.

Many of the deserving veterans will die before the ten years are up and before they receive their full concurrent receipt.

This bill will set up yet another complicated administrative system for our veterans to wade through.

And worst of all, this bill as presented today unfairly pits veterans against other veterans.

We must restore earned and deserved benefits to all eligible military retirees. If this Defense Authorization Conference Report continues to leave out two-thirds of deserving veterans, I cannot vote for its passage.

Mr. CASTLE. Mr. Speaker, I rise in support of the Conference Report on the National Defense Authorization Act. It was a pleasure to serve as an outside conferee to H.R. 1588 for education provisions that will benefit our nation's military, schools and students across the world.

In addition to Impact Aid, H.R. 1588 provides additional assistance to local educational agencies (LEAs) that benefit dependents of members of the Armed Services and Department of Defense civilian employees. \$30 million is authorized to be used as general revenue by LEAs that are impacted by the presence of military installations.

Every Member recognizes the importance of funding for special education. H.R. 1588 recognizes that the Department of Defense also has a role in helping school districts provide these necessary services. The conference report makes available \$5 million from the Department of Defense's budget to help school districts provide special education services to children with severe disabilities who have a parent who is on active duty in the uniformed services or who is a foreign military officer.

Now more than ever our military families rely on Department of Defense schools overseas. H.R. 1588 expands the eligibility for space-available, tuition-free attendance at Department of Defense Dependents Schools (DODDS) overseas to the dependents of mobilized reservists who are called to active duty and whose overseas tour is voluntarily or involuntarily extended beyond one year. Current admissions policy permits the dependents of reservists called to active duty from an overseas location to enroll in DODDS on a space-available, tuition-free basis, but denies such admission to reservists mobilized from the continental United States. As the number of reservists deployed overseas continues to increase, it is imperative that we recognize the needs of these men and women as well as the educational needs of their children.

Finally, today's Conference Report recognizes the future needs of our military. H.R. 1588 enables the Secretary of Defense to develop a more comprehensive and attractive array of educational programs in science, mathematics and engineering. Educational programs in technical fields will help to train the next generation of scientists, engineers, and technical entrepreneurs, all of whom may contribute to the future technological superiority of our military forces.

Congress and the American people support our brave military for their commitment and their sacrifice. The recent war in Iraq shows the importance of preparation and equipment for our military as they work to defend freedom and liberty across the globe. In addition to these vital education provisions, the Conference Report to be passed today will provide the necessary resources and training for our troops at home and abroad.

Mr. MCGOVERN. Mr. Speaker, I rise in reluctant opposition to this Conference Report.

While I have continuing problems with the process of how this bill was negotiated, excluding the participation of most Democratic-appointed conferees, and how no time has been allowed for Members of this body to review the final version of the bill on which we are voting this morning, it is not for reasons of process that I oppose this bill.

I oppose this bill because it does not do right by our disabled veterans; it does not do right by the hard-working, faithful, and patriotic civilian workforce of the U.S. Department of Defense; and it does not do right by our commitment—including the declarations of our current president—to halt the global proliferation of nuclear weapons.

However, first I would like to summarize several of the items in this bill that I strongly support and for which I have fought for many years.

I support the extension of TRICARE for non-deployed National Guard and Reservists and their families. Under current law and Pentagon policy, reservists become eligible for TRICARE, the Defense Department's health care system, once they are on active duty. This conference report will ensure that TRICARE is provided to those Guard and Reservists who lack coverage or who are not eligible for coverage offered by an employer. Guard and Reservists will be required to pay 28 percent of TRICARE premium and can stay in the program for one month before and six months after mobilization. This program is authorized for one year, until September 30, 2004, but I will continue to fight to ensure these changes become permanent.

I also support the provision in this conference report to allow lawful permanent resident military members to achieve naturalized citizenship after serving honorably for one year in the regular components of the military and our Ready Reserves. It also allows non-citizen spouses, unmarried children, and parents of citizens and non-citizens serving in the U.S. military who are killed as a result of such service, to file or preserve their application for lawful permanent residence. This provision does not provide any benefits if family members are out of status or are illegal aliens.

I support the increases in Imminent Danger Pay and Family Separation Allowance. The higher rates authorized in this bill will be \$225 per month for hazardous duty pay and \$250 for family separation allowance. These higher

rates will be provided to all eligible military members, not just those serving in Iraq and Afghanistan.

I strongly support the 4.1 percent pay increase for military personnel and the targeted increases for mid-grade and senior non-commissioned officers and mid-grade officers.

I also strongly support the increased authorizations for the equipment, supplies, logistical support so badly needed by our deployed military personnel and those in training, as well as the increases in research, development, testing and evaluation of new equipment and materials that will be required for an effective and modern fighting force. Our uniformed men and women deserve the very best equipment to carry out their duties and missions, and I believe this bill helps provide them with these materials.

Unfortunately, I cannot support a bill that will still leave two out of every three disabled veterans subject to the so-called Disabled Veterans Tax. This conference report includes a plan to provide concurrent receipt of military retirement and Veterans Affairs (VA) disability benefits to military retirees with disability ratings of 50 percent or high that would be phased in over the next ten years. According to a report released by Veterans Affairs Committee Ranking Member Lane Evans, a veteran himself of the Vietnam War, the plan authorized in this bill will help only 160,000 of the approximately 560,000 disabled military retirees that are subject to the tax. To be eligible for relief, retirees must have 20 years of service and disability ratings of 50 percent or above. As is already provided for in current law, veterans who meet the criteria for a combat-related disability, popularly known as "Purple Hearts Plus," will receive full disability and retirement benefits, if they have twenty years or more of service.

I believe that the Conference Report should have included the provisions of H.R. 303, the Retired Pay Restoration Act of 2003, which I and the Democrats in the U.S. House of Representatives attempted to bring to the House floor for action earlier this year. It would cover all of our disabled veterans, not just one out of three. Three days from now we will remember our veterans and celebrate Veterans Day. I cannot do this in good conscience if I support legislation in which two-thirds of retired veterans who have service-related disabilities will be left behind and will be required to continue to pay tax on their disability.

Mr. Speaker, I cannot support this conference report that scraps existing civil service laws and protections for the more than 746,000 civilian employees whose daily work and sacrifices ensures the effective running of the U.S. Department of Defense. This Conference Report removes all collective bargaining protections contained in current law; it removes all basic due process protections for employees; it strips Defense Department employees of basic appeal rights; and it removes the requirement that Defense Department employees receive additional pay for working overtime, working on holidays or weekends, or working in jobs involving unusual physical hardship or hazards. Mr. Speaker, this is simply wrong.

Finally, Mr. Speaker, I oppose the Conference Report on H.R. 1588 because it lifts the ban on research and development of a new generation of so-called low-yield nuclear weapons that was first enacted in 1989 during

the Administration of President George H.W. Bush. This new program will allow the United States to pursue a new generation of nuclear weapons of a type most likely to be used in battle, which I fear may lead to a new nuclear arms race on a global scale.

I also have other grave concerns regarding this bill, such as the weakening of the Endangered Species Act and the Marine Mammal Protection Act, which I do not have time to go into this morning.

I regret that I must vote in opposition to this very important bill, but I simply cannot short-change our disabled veterans, the Defense Department workers, and the very security of our nation and the world from nuclear attack.

Mr. BEREUTER. Mr. Speaker, this Member rises in strong support for the conference report on H.R. 1588, the National Defense Authorization Act for Fiscal Year 2004. This Member would like to offer particular thanks to the Chairman of the House Armed Services Committee, the distinguished gentleman from California (Mr. HUNTER), and the Ranking Minority Member on the Committee, the distinguished gentleman from Missouri (Mr. SKELTON) for their work on this important bill. Furthermore, this Member would like to thank the Chairman of the Armed Services Subcommittee on Military Readiness, the distinguished gentleman from Colorado (Mr. HEFLEY), and the Ranking Member of the Armed Services Subcommittee on Military Readiness, the distinguished gentleman from Texas (Mr. ORTIZ), for their critical work on authorizing \$3 million for the frontage levee segment protecting the Nebraska National Guard Camp at Ashland, Nebraska. Indeed, this Member is very appreciative for the inclusion of this provision in the conference report.

Mr. Speaker, the Nebraska National Guard Camp Frontage Levee Segment is a central element of the Clear Creek portion of the Western Sarpy Levee project. Completion of the Guard camp segment must coincide with the other elements of the Western Sarpy project to assure coordinate progress on completing this governmentally complicated flood protection project. Indeed, without building this section of the levee along the Platte River simultaneously with the construction of the entire levee system it will not work; there would be a gap in the levee that would only accentuate the flooding risks and flood volume that would affect the Nebraska National Guard Camp unless this project moves forward with the rest of the levee construction project.

Previously, the Clear Creek Project was authorized at \$15.6 million in the Water Resources Development Act of 2000 (WRDA 2000) to provide protection to the City of Lincoln's water supply, I-80, and U.S. 6, BNSF RR (Amtrak Line), telecommunication lines and other public facilities. In the FY2003 omnibus appropriations bill, Congress included \$500,000 for construction start-up costs.

The Nebraska National Guard Camp at Ashland, Nebraska, provides training for Nebraska and other states' Army guard units to maintain mission readiness. The Ashland Guard Camp levee is an essential element of the Clear Creek structure on the western side of the Platte River since it also is that part of Clear Creek nearest to the Lincoln wellfield. Planning and design funds for the Guard's segment have been previously provided by the Congress to the Department of Defense through the Military Construction appropria-

tions bill. Planning has resulted in development of a more cost-effective frontage levee to replace a previous ring-levee approach.

In closing, Mr. Speaker, this Member again expresses his appreciation and urges his colleagues to vote in support of the conference report for H.R. 1588.

The SPEAKER pro tempore (Mr. SIMPSON). All time for debate has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR.

MARSHALL

Mr. MARSHALL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. MARSHALL. Mr. Speaker, because the conference report does far too little to end the disabled veterans tax, I oppose the conference report in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MARSHALL moves to recommit the conference report on the bill H.R. 1588 to the committee of conference with instructions to the managers on the part of the House to include, in any further conference substitute recommended by the committee of conference, provisions that, within the scope of conference, maximize the number of persons who will be eligible for full concurrent receipt of military retired pay and veterans disability compensation.

The SPEAKER pro tempore. The motion is not debatable.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. MARSHALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and 9 of rule XX, this 15-minute vote on the motion to recommit to conference will be followed by 5-minute votes on the adoption of the conference report; the motion to instruct on H.R. 6 offered by the gentleman from California (Mr. FILNER); and the motion to instruct on H.R. 1 offered by the gentleman from California (Mr. CARDOZA).

The vote was taken by electronic device, and there were—yeas 188, nays 217, not voting 30, as follows:

[Roll No. 616]

YEAS—188

Abercrombie	Becerra	Boucher
Alexander	Bell	Boyd
Allen	Berkley	Brady (PA)
Andrews	Berry	Brown, Corrine
Baca	Bishop (GA)	Capps
Baird	Bishop (NY)	Capuano
Baldwin	Blumenauer	Cardin
Ballance	Boswell	Cardoza

Carson (IN)	Jefferson
Carson (OK)	John
Case	Johnson, E. B.
Clay	Jones (NC)
Clyburn	Kanjorski
Conyers	Kaptur
Cooper	Kennedy (RI)
Costello	Kildee
Cramer	Kind
Crowley	Lampson
Cummings	Langevin
Davis (CA)	Lantos
Davis (FL)	Larsen (WA)
Davis (IL)	Larson (CT)
Davis (TN)	Lee
DeFazio	Levin
DeGette	Lewis (GA)
Delahunt	Lofgren
DeLauro	Lowey
Deutsch	Lucas (KY)
Dicks	Lynch
Dingell	Maloney
Doggett	Markey
Dooley (CA)	Marshall
Doyle	Matheson
Edwards	Matsui
Emanuel	McCarthy (MO)
Engel	McCarthy (NY)
Eshoo	McCollum
Etheridge	McDermott
Evans	McGovern
Farr	McIntyre
Filner	McNulty
Ford	Meek (FL)
Frank (MA)	Meeks (NY)
Frost	Menendez
Gonzalez	Michaud
Gordon	Millender
Green (TX)	McDonald
Grijalva	Miller (NC)
Gutierrez	Miller, George
Hall	Mollohan
Harman	Moore
Hill	Moran (VA)
Hinojosa	Murtha
Hoefel	Nadler
Holden	Neal (MA)
Holt	Nethercutt
Honda	Oberstar
Hooley (OR)	Obey
Hoyer	Olver
Inslee	Owens
Israel	Pallone
Jackson (IL)	Pascrell
Jackson-Lee	Pastor
(TX)	Payne

NAYS—217

Aderholt	Crane	Greenwood
Akin	Crenshaw	Harris
Bachus	Cubin	Hart
Baker	Culberson	Hastert
Ballenger	Cunningham	Hastings (WA)
Barrett (SC)	Davis, Jo Ann	Hayes
Bartlett (MD)	Davis, Tom	Hayworth
Barton (TX)	Deal (GA)	Hefley
Bass	DeLay	Hensarling
Beauprez	DeMint	Herger
Bereuter	Diaz-Balart, L.	Hobson
Biggart	Diaz-Balart, M.	Hoekstra
Bilirakis	Doolittle	Hostettler
Bishop (UT)	Dreier	Houghton
Blackburn	Duncan	Hulshof
Blunt	Dunn	Hunter
Boehlert	Ehlers	Hyde
Boehner	Emerson	Isakson
Bonilla	English	Issa
Bonner	Everett	Istook
Bono	Feeney	Janklow
Boozman	Ferguson	Jenkins
Bradley (NH)	Flake	Johnson (IL)
Brady (TX)	Foley	Johnson, Sam
Brown (SC)	Forbes	Keller
Brown-Waite,	Fossella	Kelly
Ginny	Franks (AZ)	Kennedy (MN)
Burgess	Frelinghuysen	King (IA)
Burns	Gallegly	King (NY)
Calvert	Garrett (NJ)	Kingston
Camp	Gerlach	Kirk
Cannon	Gibbons	Klecza
Cantor	Gilchrest	Kline
Capito	Gillmor	Knollenberg
Carter	Gingrey	Kolbe
Castle	Goode	LaHood
Chabot	Goodlatte	Latham
Choccola	Goss	LaTourette
Coble	Granger	Leach
Cole	Graves	Lewis (CA)
Collins	Green (WI)	Lewis (KY)

Linder	Platts	Simpson	Bradley (NH)	Harris	Murphy	Terry	Udall (NM)	Weldon (PA)
LoBiondo	Pombo	Smith (MI)	Brady (PA)	Hart	Murtha	Thomas	Upton	Weller
Lucas (OK)	Porter	Smith (NJ)	Brady (TX)	Hastert	Musgrave	Thompson (CA)	Van Hollen	Wexler
Manzullo	Portman	Smith (TX)	Brown (SC)	Hastings (WA)	Myrick	Thompson (MS)	Visclosky	Whitfield
McCotter	Pryce (OH)	Souder	Brown, Corrine	Hayes	Nadler	Thornberry	Vitter	Wicker
McCrery	Putnam	Stearns	Brown-Waite,	Hayworth	Neal (MA)	Tiahrt	Walden (OR)	Wilson (NM)
McHugh	Radanovich	Sullivan	Ginny	Hefley	Nethercutt	Tiberti	Walsh	Wilson (SC)
McKeon	Ramstad	Sweeney	Burgess	Hensarling	Neugebauer	Toomey	Wamp	Wolf
Mica	Regula	Tauzin	Burns	Herger	Ney	Turner (OH)	Watt	Wynn
Miller (FL)	Rehberg	Taylor (NC)	Calvert	Hill	Northup	Turner (TX)	Weiner	Young (AK)
Miller (MI)	Renzi	Terry	Camp	Hinojosa	Norwood	Udall (CO)	Weldon (FL)	Young (FL)
Miller, Gary	Reynolds	Thomas	Cannon	Hobson	Nunes			
Moran (KS)	Rogers (AL)	Thornberry	Cantor	Hoefel	Nussle			
Murphy	Rogers (KY)	Tiahrt	Capito	Hoekstra	Osborne			
Musgrave	Rogers (MI)	Tiberti	Capps	Holden	Ose			
Myrick	Rohrabacher	Toomey	Cardin	Hooley (OR)	Otter			
Neugebauer	Ros-Lehtinen	Turner (OH)	Cardoza	Hostettler	Oxley			
Ney	Royce	Upton	Carson (OK)	Houghton	Pallone			
Northup	Ryan (WI)	Vitter	Carter	Hoyer	Pascrell			
Norwood	Ryun (KS)	Walden (OR)	Case	Hulshof	Pastor			
Nunes	Sabo	Walsh	Castle	Hunter	Pearce			
Nussle	Saxton	Wamp	Chabot	Hyde	Pelosi			
Osborne	Schrock	Weldon (FL)	Chocola	Inslee	Pence			
Ose	Sensenbrenner	Weldon (PA)	Clyburn	Isakson	Peterson (MN)			
Otter	Sessions	Weller	Coble	Israel	Peterson (PA)			
Oxley	Shadegg	Wicker	Cole	Issa	Petri			
Pearce	Shaw	Wilson (NM)	Collins	Istook	Pickering			
Pence	Shays	Wilson (SC)	Cooper	Jackson-Lee	Pitts			
Peterson (PA)	Sherwood	Wolf	Costello	(TX)	Platts			
Petri	Shimkus	Young (AK)	Cramer	Janklow	Pombo			
Pickering	Shuster	Young (FL)	Crane	Jefferson	Pomeroy			
Pitts	Simmons		Crenshaw	Jenkins	Porter			

NOT VOTING—30

Ackerman	Gephardt	McInnis
Berman	Gutknecht	Meehan
Brown (OH)	Hastings (FL)	Napolitano
Burr	Hinchey	Ortiz
Burton (IN)	Johnson (CT)	Paul
Buyer	Jones (OH)	Quinn
Cox	Kilpatrick	Rangel
Davis (AL)	Kucinich	Reyes
Fattah	Lipinski	Towns
Fletcher	Majette	Wu

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1157

Mr. VITTER and Mr. BARTLETT of Maryland changed their vote from “yea” to “nay.”

Mr. WHITFIELD and Mr. TANCREDO changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HUNTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 362, nays 40, answered “present” 2, not voting 31, as follows:

[Roll No. 617]

YEAS—362

Abercrombie	Bartlett (MD)	Bishop (UT)
Aderholt	Barton (TX)	Blackburn
Akin	Bass	Blunt
Alexander	Beauprez	Boehlert
Allen	Boehner	Bonior
Andrews	Bereuter	Bonilla
Baca	Berkley	Bonner
Bachus	Berry	Bono
Baker	Biggart	Boozman
Ballance	Bilirakis	Boswell
Ballenger	Bishop (GA)	Boucher
Barrett (SC)	Bishop (NY)	Boyd

Brady (NH)	Harris	Murphy	Terry	Udall (NM)	Weldon (PA)
Brady (PA)	Hart	Murtha	Thomas	Upton	Weller
Brady (TX)	Hastert	Musgrave	Thompson (CA)	Van Hollen	Wexler
Brown (SC)	Hastings (WA)	Myrick	Thompson (MS)	Visclosky	Whitfield
Brown, Corrine	Hayes	Nadler	Thornberry	Vitter	Wicker
Brown-Waite,	Hayworth	Neal (MA)	Tiahrt	Walden (OR)	Wilson (NM)
Ginny	Hefley	Nethercutt	Tiberti	Walsh	Wilson (SC)
Burgess	Hensarling	Neugebauer	Toomey	Wamp	Wolf
Burns	Herger	Ney	Turner (OH)	Watt	Wynn
Calvert	Hill	Northup	Turner (TX)	Weiner	Young (AK)
Camp	Hinojosa	Norwood	Udall (CO)	Weldon (FL)	Young (FL)
Cannon	Hobson	Nunes			
Cantor	Hoefel	Nussle			
Capito	Hoekstra	Osborne			
Capps	Holden	Ose			
Cardin	Hooley (OR)	Otter			
Cardoza	Hostettler	Oxley			
Carson (OK)	Houghton	Pallone			
Carter	Hoyer	Pascrell			
Case	Hulshof	Pastor			
Castle	Hunter	Pearce			
Chabot	Hyde	Pelosi			
Chocola	Inslee	Pence			
Clyburn	Isakson	Peterson (MN)			
Coble	Israel	Peterson (PA)			
Cole	Issa	Petri			
Collins	Istook	Pickering			
Cooper	Jackson-Lee	Pitts			
Costello	(TX)	Platts			
Cramer	Janklow	Pombo			
Crane	Jefferson	Pomeroy			
Crenshaw	Jenkins	Porter			
Crowley	John	Portman			
Cubin	Johnson (IL)	Price (NC)			
Culberson	Johnson, E. B.	Pryce (OH)			
Cummings	Johnson, Sam	Putnam			
Cunningham	Jones (NC)	Radanovich			
Davis (CA)	Kanjorski	Rahall			
Davis (FL)	Kaptur	Ramstad			
Davis (IL)	Keller	Regula			
Davis (TN)	Kelly	Rehberg			
Davis, Jo Ann	Kennedy (MN)	Renzi			
Davis, Tom	Kennedy (RI)	Reynolds			
Deal (GA)	Kildee	Rodriguez			
DeFazio	Kind	Rogers (AL)			
DeGette	King (IA)	Rogers (KY)			
Delahunt	King (NY)	Rogers (MI)			
DeLauro	Kingston	Rohrabacher			
DeLay	Kirk	Ros-Lehtinen			
DeMint	Klecza	Ross			
Deutsch	Kline	Rothman			
Diaz-Balart, L.	Knollenberg	Roybal-Allard			
Diaz-Balart, M.	Kolbe	Royce			
Dicks	LaHood	Ruppersberger			
Doggett	Lampson	Rush			
Dooley (CA)	Langevin	Ryan (OH)			
Doolittle	Lantos	Ryan (WI)			
Doyle	Larsen (WA)	Ryun (KS)			
Dreier	Larson (CT)	Sanchez, Linda			
Duncan	Latham	T.			
Dunn	LaTourette	Sanchez, Loretta			
Edwards	Leach	Sandlin			
Ehlers	Levin	Saxton			
Emanuel	Lewis (CA)	Schiff			
Engel	Lewis (KY)	Schrock			
English	Linder	Scott (GA)			
Etheridge	LoBiondo	Scott (VA)			
Evans	Lowe	Sensenbrenner			
Everett	Lucas (KY)	Sessions			
Feeney	Lucas (OK)	Shadegg			
Ferguson	Maloney	Shaw			
Flake	Manzullo	Shays			
Foley	Marshall	Sherman			
Forbes	Matheson	Sherwood			
Ford	Matsui	Shimkus			
Fossella	McCarthy (MO)	Shuster			
Franks (AZ)	McCarthy (NY)	Simmons			
Frelinghuysen	McCollum	Simpson			
Frost	McCotter	Skelton			
Gallegly	McCrery	Smith (MI)			
Garrett (NJ)	McHugh	Smith (NJ)			
Gerlach	McIntyre	Smith (TX)			
Gibbons	McKeon	Smith (WA)			
Gilchrest	McNulty	Snyder			
Gillmor	Meek (FL)	Solis			
Gingrey	Meeks (NY)	Souder			
Gonzalez	Menendez	Spratt			
Goode	Mica	Stearns			
Goodlatte	Michaud	Stenholm			
Gordon	Millender-	Strickland			
Goss	McDonald	Stupak			
Granger	Miller (FL)	Sullivan			
Graves	Miller (MI)	Sweeney			
Green (TX)	Miller (NC)	Tancredo			
Green (WI)	Miller, Gary	Tanner			
Greenwood	Mollohan	Tauscher			
Gutierrez	Moore	Tauzin			
Hall	Moran (KS)	Taylor (MS)			
Harman	Moran (VA)	Taylor (NC)			

NAYS—40

Baldwin	Jackson (IL)	Sabo
Blumenauer	Lee	Sanders
Capuano	Lewis (GA)	Schakowsky
Carson (IN)	Lofgren	Serrano
Clay	Lynch	Slaughter
Conyers	Markey	Stark
Dingell	McDermott	Tierney
Eshoo	McGovern	Velazquez
Farr	Miller, George	Waters
Filner	Oberstar	Watson
Frank (MA)	Obey	Waxman
Grijalva	Olver	Woolsey
Holt	Owens	
Honda	Payne	

ANSWERED “PRESENT”—2

Baird	Becerra
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NOT VOTING—31

Ackerman	Gephardt	Meehan
Berman	Gutknecht	Napolitano
Brown (OH)	Hastings (FL)	Ortiz
Burr	Hinchey	Paul
Burton (IN)	Johnson (CT)	Quinn
Buyer	Jones (OH)	Rangel
Cox	Kilpatrick	Reyes
Davis (AL)	Kucinich	Towns
Emerson	Lipinski	Wu
Fattah	Majette	
Fletcher	McInnis	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1204

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on H.R. 6.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from California (Mr. FILNER) on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 188, nays 210, not voting 36, as follows:

[Roll No. 618]

YEAS—188

Abercrombie	Bishop (NY)	Cardin
Allen	Blumenauer	Cardoza
Andrews	Boehlert	Carson (IN)
Baca	Boswell	Case
Baird	Boucher	Castle
Baldwin	Boyd	Clay
Ballance	Bradley (NH)	Clyburn
Becerra	Brady (PA)	Conyers
Berkley	Brown, Corrine	Cooper
Berry	Capps	Costello
Bishop (GA)	Capuano	Crowley

Cummings	Kildee	Petri	Nethercutt	Rodriguez	Tauzin	Bell	Hoefel	Pallone
Davis (CA)	Kind	Pomeroy	Neugebauer	Rogers (AL)	Taylor (MS)	Berkley	Holden	Pascrell
Davis (FL)	Kirk	Price (NC)	Ney	Rogers (KY)	Taylor (NC)	Berry	Holt	Pastor
Davis (IL)	Kleccka	Rahall	Northup	Rogers (MI)	Terry	Bishop (GA)	Honda	Payne
Davis (TN)	LaHood	Ramstad	Norwood	Rohrabacher	Thomas	Bishop (NY)	Hoyer	Pelosi
Davis, Tom	Langevin	Ros-Lehtinen	Nunes	Royce	Thornberry	Blumenauer	Inslee	Pomeroy
DeGette	Lantos	Ross	Osborne	Ryan (WI)	Tiahrt	Boehler	Israel	Price (NC)
Delahunt	Larsen (WA)	Roybal-Allard	Ose	Ryun (KS)	Tiberi	Boswell	Jackson (IL)	Rahall
DeLauro	Larson (CT)	Ruppersberger	Otter	Sandlin	Toomey	Boucher	Jackson-Lee	Renzi
Deutsch	Leach	Rush	Oxley	Schrock	Turner (OH)	Boyd	(TX)	Rodriguez
Dicks	Lee	Ryan (OH)	Pearce	Sensenbrenner	Turner (TX)	Brady (PA)	Jefferson	Ross
Dingell	Levin	Sabo	Pence	Sessions	Udall (NM)	Brown, Corrine	John	Rothman
Doggett	Lewis (GA)	Sanchez, Linda T.	Peterson (MN)	Shadegg	Upton	Brown-Waite, Ginny	Johnson, E. B.	Roybal-Allard
Dooley (CA)	LoBiondo	Sanchez, Loretta T.	Peterson (PA)	Shaw	Vitter	Capps	Kanjorski	Ruppersberger
Doyle	Lofgren	Sanders	Pickering	Sherwood	Wamp	Cardin	Kennedy (RI)	Rush
Ehlers	Lowey	Saxton	Pitts	Shimkus	Weldon (FL)	Cardoza	Kildee	Ryan (OH)
Emanuel	Lucas (KY)	Schakowsky	Platts	Shuster	Weldon (PA)	Carson (IN)	Kind	Sabo
Engel	Lynch	Schiff	Pombo	Simmons	Weller	Carson (OK)	Kleccka	Sanchez, Linda T.
Eshoo	Maloney	Scott (GA)	Porter	Smith (MI)	Whitfield	Case	Lampson	Sanchez, Loretta
Etheridge	Markey	Scott (VA)	Portman	Smith (TX)	Wicker	Clay	Langevin	Sanders
Evans	Marshall	Serrano	Pryce (OH)	Souder	Wilson (NM)	Clyburn	Lantos	Sandlin
Farr	Matheson	Shays	Putnam	Stearns	Wilson (SC)	Conyers	Larsen (WA)	Schakowsky
Filner	Matsui	Sherman	Radanovich	Stenholm	Wolf	Cooper	Larson (CT)	Schiff
Ford	McCarthy (MO)	Skelton	Regula	Sullivan	Young (AK)	Costello	Leach	Scott (GA)
Frank (MA)	McCarthy (NY)	Slaughter	Rehberg	Sweeney	Young (FL)	Cramer	Lee	Scott (VA)
Frost	McCollum	Smith (NJ)	Renzi	Tancredo		Crowley	Levin	Serrano
Gerlach	McDermott	Smith (WA)	Reynolds			Cummings	Lofgren	Sherman
Gilchrest	McGovern	Snyder	Ackerman	Gutknecht	Meehan	Davis (CA)	Lowey	Skelton
Gordon	McHugh	Solis	Berman	Hastings (FL)	Napolitano	Davis (FL)	Lucas (KY)	Slaughter
Green (WI)	McIntyre	Spratt	Brown (OH)	Hinche	Nussle	Davis (IL)	Lynch	Smith (WA)
Greenwood	Meek (FL)	Stark	Burr	Hooley (OR)	Ortiz	Davis (TN)	Maloney	Snyder
Grijalva	Meeks (NY)	Strickland	Burton (IN)	Johnson (CT)	Paul	DeGette	Markey	Solis
Gutierrez	Menendez	Stupak	Buyer	Jones (OH)	Quinn	Delahunt	Marshall	Spratt
Harman	Michaud	Tanner	Cox	Kilpatrick	Rangel	DeLauro	Matheson	Stark
Harris	Millender-McDonald	Tauscher	Davis (AL)	Kucinich	Reyes	Deutsch	McCarthy (MO)	Stenholm
Hill	Miller (NC)	Thompson (CA)	DeFazio	Lewis (CA)	Rothman	Dicks	McCarthy (NY)	Strickland
Hoefel	Miller, George	Thompson (MS)	Fattah	Lipinski	Towns	Dingell	McCollum	Stupak
Holden	Moore	Tierney	Fletcher	Majette	Walden (OR)	Dooley (CA)	McDermott	Tanner
Holt	Moran (VA)	Udall (CO)	Gephardt	McInnis	Wu	Doyle	McGovern	Tauscher
Honda	Murtha	Van Hollen				Edwards	McIntyre	Taylor (MS)
Hoyer	Nadler	Velazquez				Emanuel	Meek (FL)	Thompson (CA)
Inslee	Neal (MA)	Visclosky				Engel	Meeks (NY)	Thompson (MS)
Israel	Oberstar	Walsh				Eshoo	Menendez	Tierney
Jackson (IL)	Obey	Waters				Etheridge	Michael	Turner (TX)
Jackson-Lee (TX)	Olver	Watson				Evans	Udall (CO)	Udall (NM)
Jefferson	Owens	Watt				Farr	Udall (NM)	Van Hollen
Johnson (IL)	Pallone	Waxman				Filner	Velazquez	Visclosky
Johnson, E. B.	Pascrell	Weiner				Ford	Waters	Watson
Kanjorski	Pastor	Wexler				Frank (MA)	Watt	Waxman
Kaptur	Payne	Wynn				Frost	Neal (MA)	Weiner
Kelly	Pelosi					Gonzalez	Oberstar	Wexler
Kennedy (RI)						Gordon	Obey	Wilson (NM)
						Green (TX)	Olver	Woolsey
						Grijalva	Owens	Wynn
						Gutierrez		
						Harman		
						Hill		
						Hinojosa		

NOT VOTING—36

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1211

Mr. CRAMER and Mr. NUNES changed their vote from “yea” to “nay.”

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. GINNY BROWN-WAITE of Florida, Mr. Speaker, on rollcall No. 618 an error occurred. I mistakenly voted “no” and should have voted “yes.”

MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on H.R. 1.

The Clerk will designate the motion. The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from California (Mr. CARDOZA) on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 184, nays 207, not voting 43, as follows:

[Roll No. 619]

YEAS—184

NAYS—210

Aderholt	Cubin	Herger
Akin	Culberson	Hinojosa
Alexander	Cunningham	Hobson
Bachus	Davis, Jo Ann	Hoekstra
Baker	Deal (GA)	Hostettler
Ballenger	DeLay	Houghton
Barrett (SC)	DeMint	Hulshof
Bartlett (MD)	Diaz-Balart, L.	Hunter
Barton (TX)	Diaz-Balart, M.	Hyde
Bass	Doolittle	Isakson
Beauprez	Dreier	Issa
Bell	Duncan	Istook
Bereuter	Dunn	Janklow
Biggart	Edwards	Jenkins
Bilirakis	Emerson	John
Bishop (UT)	English	Johnson, Sam
Blackburn	Everett	Jones (NC)
Blunt	Ferguson	Keller
Boehner	Flake	Kennedy (MN)
Bonilla	Foley	King (IA)
Bonner	Forbes	King (NY)
Bono	Fossella	Kingston
Boozman	Franks (AZ)	Kline
Brady (TX)	Frelinghuysen	Knollenberg
Brown (SC)	Gallegly	Kolbe
Brown-Waite, Ginny	Garrett (NJ)	Lampson
Burgess	Gibbons	Latham
Burns	Gillmor	LaTourette
Calvert	Gingrey	Lewis (KY)
Camp	Gonzalez	Linder
Cannon	Goode	Lucas (OK)
Cantor	Goodlatte	Manzullo
Capito	Goss	McCotter
Carson (OK)	Granger	McCrery
Carter	Graves	McKeon
Chabot	Green (TX)	Mica
Chocola	Hall	Miller (FL)
Coble	Hart	Miller (MI)
Cole	Hastings (WA)	Miller, Gary
Collins	Hayes	Mollohan
Cramer	Hayworth	Moran (KS)
Crane	Hefley	Murphy
Crenshaw	Hensarling	Musgrave
		Myrick

NAYS—207

Aderholt	Crane	Graves
Akin	Crenshaw	Green (WI)
Bachus	Cubin	Greenwood
Ballenger	Culberson	Hall
Barrett (SC)	Cunningham	Harris
Bartlett (MD)	Davis, Jo Ann	Hart
Barton (TX)	Davis, Tom	Hastings (WA)
Bass	Deal (GA)	Hayes
Beauprez	DeLay	Hayworth
Bereuter	DeMint	Hefley
Biggart	Diaz-Balart, M.	Hensarling
Bilirakis	Doolittle	Herger
Bishop (UT)	Dreier	Hobson
Blackburn	Duncan	Hoekstra
Blunt	Dunn	Hostettler
Boehner	Ehlers	Houghton
Bonilla	Emerson	Hulshof
Bonner	English	Hunter
Bono	Everett	Hyde
Boozman	Feeney	Isakson
Bradley (NH)	Ferguson	Issa
Brady (TX)	Flake	Istook
Brown (SC)	Foley	Janklow
Burgess	Forbes	Jenkins
Burns	Fossella	Johnson (IL)
Calvert	Franks (AZ)	Johnson, Sam
Camp	Frelinghuysen	Jones (NC)
Cannon	Gallegly	Keller
Cantor	Garrett (NJ)	Kelly
Capito	Gerlach	Kennedy (MN)
Carter	Gibbons	King (IA)
Castle	Gilchrest	King (NY)
Chabot	Gillmor	Kingston
Chocola	Gingrey	Kirk
Coble	Goode	Kline
Cole	Goodlatte	Knollenberg
Collins	Goss	Kolbe

LaHood	Peterson (PA)	Simmons
Latham	Petri	Simpson
LaTourette	Pickering	Smith (MI)
Lewis (CA)	Pitts	Smith (NJ)
Lewis (KY)	Platts	Smith (TX)
LoBiondo	Pombo	Souder
Lucas (OK)	Porter	Stearns
Manzullo	Portman	Sullivan
McCotter	Pryce (OH)	Sweeney
McCrery	Putnam	Tancredo
McKeon	Radanovich	Tauzin
Mica	Ramstad	Taylor (NC)
Miller (FL)	Regula	Terry
Miller (MI)	Rehberg	Thomas
Miller, Gary	Reynolds	Thornberry
Moran (KS)	Rogers (AL)	Tiahrt
Murphy	Rogers (KY)	Tiberi
Musgrave	Rogers (MI)	Toomey
Myrick	Rohrabacher	Turner (OH)
Nethercutt	Royce	Upton
Neugebauer	Ryan (WI)	Vitter
Ney	Ryun (KS)	Walsh
Northup	Saxton	Wamp
Norwood	Schrock	Weldon (FL)
Nunes	Sensenbrenner	Weldon (PA)
Osborne	Sessions	Weller
Ose	Shadegg	Whitfield
Otter	Shaw	Wicker
Oxley	Shays	Wilson (SC)
Pearce	Sherwood	Wolf
Pence	Shimkus	Young (AK)
Peterson (MN)	Shuster	Young (FL)

NOT VOTING—43

Ackerman	Granger	McInnis
Baker	Gutknecht	Meehan
Berman	Hastings (FL)	Napolitano
Brown (OH)	Hinchey	Nussle
Burr	Hooley (OR)	Ortiz
Burton (IN)	Johnson (CT)	Paul
Buyer	Jones (OH)	Quinn
Cox	Kaptur	Rangel
Davis (AL)	Kilpatrick	Reyes
DeFazio	Kucinich	Ros-Lehtinen
Diaz-Balart, L.	Lewis (GA)	Towns
Doggett	Linder	Walden (OR)
Fattah	Lipinski	Wu
Fletcher	Majette	
Gephardt	Matsui	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1217

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 2754, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2004

Mr. HOBSON submitted the following conference report and statement on the bill (H.R. 2754) making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes:

CONFERENCE REPORT (H. REPT. 108-357)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2754) "making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2004, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, shore protection, aquatic ecosystem restoration, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, aquatic ecosystem restoration, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by law, surveys and detailed studies and plans and specifications of projects prior to construction, \$116,949,000, to remain available until expended: Provided, That for the Ohio Riverfront, Cincinnati, Ohio, project, the cost of planning and design undertaken by non-Federal interests shall be credited toward the non-Federal share of project design costs: Provided further, That in conducting the Southwest Valley Flood Damage Reduction Study, Albuquerque, New Mexico, the Secretary of the Army, acting through the Chief of Engineers, shall include an evaluation of flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies regarding the frequency of flooding, the drainage areas, and the amount of runoff: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$250,000 for preconstruction engineering and design of Waikiki Beach, Oahu, Hawaii, the project to be designed and evaluated, as authorized: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$100,000 for the continuation and completion of feasibility studies of Kihei Beach, Maui, Hawaii: Provided further, That any recommendations for a National Economic Development Plan shall be accepted notwithstanding the extent of recreation benefits supporting the project features, in view of the fact that recreation is extremely important in sustaining and increasing the economic well-being of the State of Hawaii and the nation.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, aquatic ecosystem restoration, and related projects authorized by law; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), \$1,722,319,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104-303; and of which such sums as are necessary pursuant to Public Law 99-662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for Lock and Dam 11, Mississippi River, Iowa; Lock and Dam 19, Mississippi River, Iowa; Lock and

Dam 24, Mississippi River, Illinois and Missouri; and Lock and Dam 3, Mississippi River, Minnesota: Provided, That using \$9,280,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Dallas Floodway Extension, Texas, project, including the Cadillac Heights feature, generally in accordance with the Chief of Engineers report dated December 7, 1999: Provided further, That the Secretary of the Army is directed to accept advance funds, pursuant to section 11 of the River and Harbor Act of 1925, from the non-Federal sponsor of the Los Angeles Harbor, California, project authorized by section 101(b)(5) of Public Law 106-541: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$750,000 of the funds provided herein to continue construction of the Hawaii Water Management Project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$2,500,000 of the funds appropriated herein to continue construction of the navigation project at Kaunapali Harbor, Hawaii: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$6,000,000 of the funds provided herein for the Dam Safety and Seepage/Stability Correction Program to continue construction of seepage control features and to design and construct repairs to the tainter gates at Waterbury Dam, Vermont: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with the construction of the New York and New Jersey Harbor project, 50-foot deepening element, upon execution of the Project Cooperation Agreement: Provided further, That no funds made available under this Act or any other Act for any fiscal year may be used by the Secretary of the Army to carry out the construction of the Port Jersey element of the New York and New Jersey Harbor or reimbursement to the Local Sponsor for the construction of the Port Jersey element until commitments for construction of container handling facilities are obtained from the non-Federal sponsor for a second user along the Port Jersey element: Provided further, That funds appropriated in this Act for the preservation and restoration of the Florida Everglades shall be made available for expenditure unless: (1) the Secretary of the Army, not later than 30 days after the date of enactment of this Act, transmits to the State of Florida and the Committees on Appropriations of the House of Representatives and the Senate a report containing a finding and supporting materials indicating that the waters entering the A.R.M. Loxahatchee National Wildlife Refuge and Everglades National Park do not meet the water quality requirements set forth in the Consent Decree entered in United States v. South Florida Water Management District; (2) the State fails to submit a satisfactory plan to bring the waters into compliance with the water quality requirements within 45 days of the date of the report; (3) the Secretary transmits to the State and the Committees a follow-up report containing a finding that the State has not submitted such a plan; and (4) either the Committee on Appropriations of the House of Representatives or the Senate issues a written notice disapproving of further expenditure of the funds: Provided further, That the Secretary of the Army shall provide the State of Florida with notice and an opportunity to respond to any determination of the Secretary under the preceding proviso before the determination becomes final: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$17,000,000 of the funds appropriated herein to proceed with planning, engineering, design or construction of the Grundy, Buchanan County, and Dickenson County, Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River Project: Provided further, That the Secretary of the

Army, acting through the Chief of Engineers, is directed to use \$5,400,000 of the funds appropriated herein to proceed with the planning, engineering, design or construction of the Lower Mingo County, Upper Mingo County, Wayne County, McDowell County, West Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River Project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the Dickenson County Detailed Project Report as generally defined in Plan 4 of the Huntington District Engineer's Draft Supplement to the section 202 General Plan for Flood Damage Reduction dated April 1997, including all Russell Fork tributary streams within the County and special considerations as may be appropriate to address the unique relocations and resettlement needs for the flood prone communities within the County: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with the construction of the Seward Harbor, Alaska, project, in accordance with the Report of the Chief of Engineers, dated June 8, 1999, and the economic justification contained therein: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed and authorized to continue the work to replace and upgrade the dam and all connections to the existing system at Kake, Alaska: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with the construction of the Wrangell Harbor, Alaska, project in accordance with the Chief of Engineer's report dated December 23, 1999: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$33,400,000 of the funds appropriated herein for the Clover Fork, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork Tributaries), Bell County, Harlan County in accordance with the Draft Detailed Project Report dated January 2002, Floyd County, Martin County, Johnson County, and Knox County, Kentucky, detailed project report, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated for the navigation project, Tampa Harbor, Florida, to carry out, as part of the project, construction of passing lanes in an area approximately 3.5 miles long, centered on Tampa Bay Cut B, if the Secretary determines that such construction is technically sound, environmentally acceptable, and cost effective: Provided further, That using \$200,000 appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, may develop an environmental impact statement for introducing non-native oyster species into the Chesapeake Bay: Provided further, That during preparation of the environmental impact statement, the Secretary may establish a scientific advisory body consisting of the Virginia Institute of Marine Science, the University of Maryland, and other appropriate research institutions to review the sufficiency of the environmental impact statement: Provided further, That in addition, the Secretary shall give consideration to the findings and recommendations of the National Academy of Sciences report on the introduction of non-native oyster species into the Chesapeake Bay in the preparation of the environmental impact statement: Provided further, That notwithstanding the cost sharing provisions of section 510(d) of the Water Resources Development Act of 1996 (110 Stat. 3760), the preparation of the environmental impact statement shall be cost shared 50 percent Federal and 50 percent non-Federal, for an estimated cost of \$2,000,000: Provided further, That the non-Federal sponsors may meet their 50 percent matching cost share through in-kind services: Provided further, That the Secretary determines that work performed by the non-Federal

sponsors is reasonable, allowable, allocable, and integral to the development of the environmental impact statement: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to construct the Miami Harbor project, as recommended in the Miami Harbor Letter Report dated August 2002, as revised February 2003: Provided further, That using \$500,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to plan, design, and initiate reconstruction of the Cape Girardeau, Missouri, project, originally authorized by the Flood Control Act of 1950, at an estimated total cost of \$9,000,000, with cost sharing on the same basis as cost sharing for the project as originally authorized, if the Secretary determines that the reconstruction is technically sound and environmentally acceptable: Provided further, That the planned reconstruction shall be based on the most cost-effective engineering solution and shall require no further economic justification: Provided further, That the Secretary is directed to use \$5,000,000 of the funds appropriated herein to undertake the restoration of Tar Creek and Vicinity, Oklahoma, project.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for the flood damage reduction program for the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$324,222,000, to remain available until expended: Provided, That the Secretary of the Army, acting through the Chief of Engineers, using \$12,000,000 of the funds provided herein, is directed to continue design and real estate activities and to initiate the pump supply contract for the Yazoo Basin, Yazoo Backwater Pumping Plant, Mississippi: Provided further, That the pump supply contract shall be performed by awarding continuing contracts in accordance with 33 U.S.C. 621: Provided further, That the Secretary of the Army, acting through the Chief of Engineers is directed, with funds previously appropriated, to continue construction of water withdrawal features of the Grand Prairie, Arkansas, project.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects; for providing security for infrastructure owned and operated by, or on behalf of, the U.S. Army Corps of Engineers, including administrative buildings and facilities, laboratories, and the Washington Aqueduct; for the maintenance of harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; and for surveys and charting of northern and northwestern lakes and connecting waters, clearing and straightening channels, and removal of obstructions to navigation, \$1,967,925,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662 may be derived from that fund, and of which such sums as become available from the special account for the U.S. Army Corps of Engineers established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-6a(i)), may be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available under section 217 of the Water Resources Development Act of 1996, Public Law 104-303, shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which fees have been collected: Provided, That of funds appropriated herein, for the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, the Secretary of the Army, acting through the Chief of Engineers, is directed to reimburse the State of Delaware for normal operation and maintenance costs incurred by the State of Delaware for the SRI Bridge from station 58+00 to station 293+00 between October 1, 2003, and September 30, 2004: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to rehabilitate the existing dredged material disposal site for the project for navigation, Bodega Bay Harbor, California, and to continue maintenance dredging of the Federal channel: Provided further, That the Secretary shall make suitable material excavated from the site as part of the rehabilitation effort available to the non-Federal sponsor, at no cost to the Federal Government, for use by the non-Federal sponsor in the development of public facilities: Provided further, That the Corps of Engineers shall not allocate any funds to deposit dredged material along the Laguna Madre portion of the Gulf Intracoastal Waterway except at the placement areas specified in the Dredged Material Management Plan in section 2.11 of the Final Environmental Impact Statement for Maintenance Dredging of the Gulf Intracoastal Waterway, Laguna Madre, Texas, Nueces, Kleberg, Kenedy, Willacy, and Cameron Counties, Texas, prepared by the Corps of Engineers dated September 2003: Provided further, That nothing in the above proviso shall prevent the Corps of Engineers from performing necessary maintenance operations along the Gulf Intracoastal Waterway if the following conditions are met: if the Corps proposes to use any placement areas that are not currently specified in the Dredged Material Management Plan and failure to use such alternative placement areas will result in the closure of any segment of the Gulf Intracoastal Waterway, then such proposal shall be analyzed in an Environmental Impact Statement (EIS) and comply with all other applicable requirements of the National Environmental Policy Act, 42 U.S.C. 4321, et seq., and all other applicable State and Federal laws, including the Clean Water Act, 33 U.S.C. 1251 et seq., the Endangered Species Act, 16 U.S.C. 1531 et seq., and the Coastal Zone Management Act, 16 U.S.C. 1451 et seq.: Provided further, That \$15,000,000 is provided to be used by the Secretary of the Army, acting through the Chief of Engineers, to repair, restore, and clean up projects and facilities of the Corps of Engineers and dredge navigation channels, restore and clean out area streams, provide emergency stream bank protection, restore other crucial public infrastructure (including water and sewer facilities), document flood impacts, and undertake other flood recovery efforts considered necessary by the Chief of Engineers: Provided further, That the Secretary of the Army is directed to use \$75,000 of the funds appropriated herein to remove the weir feature of the project for flood damage reduction, Mayfield Creek and Tributaries, Kentucky, constructed pursuant to section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), without any further environmental or economic analysis or study: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$250,000 of the funds appropriated herein for sediment removal and dam repair at Junaluska, North Carolina.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$140,000,000, to remain available until expended.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, \$140,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related civil works functions in the headquarters of the U.S. Army Corps of Engineers, the offices of the Division Engineers, the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the U.S. Army Engineer Research and Development Center, and the U.S. Army Corps of Engineers Finance Center, \$160,000,000, to remain available until expended: Provided, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the division offices: Provided further, That none of these funds shall be available to support an office of congressional affairs within the executive office of the Chief of Engineers.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for official reception and representation expenses (not to exceed \$5,000); and during the current fiscal year the Revolving Fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SEC. 101. Agreements proposed for execution by the Assistant Secretary of the Army for Civil Works or the United States Army Corps of Engineers after the date of the enactment of this Act pursuant to section 4 of the Rivers and Harbor Act of 1915, Public Law 64-291; section 11 of the River and Harbor Act of 1925, Public Law 68-585; the Civil Functions Appropriations Act, 1936, Public Law 75-208; section 215 of the Flood Control Act of 1968, as amended, Public Law 90-483; sections 104, 203, and 204 of the Water Resources Development Act of 1986, as amended, Public Law 99-662; section 206 of the Water Resources Development Act of 1992, as amended, Public Law 102-580; section 211 of the Water Resources Development Act of 1996, Public Law 104-303; and any other specific project authority, shall be limited to credits and reimbursements per project not to exceed \$10,000,000 in each fiscal year, and total credits and reimbursements for all applicable projects not to exceed \$50,000,000 in each fiscal year.

SEC. 102. None of the funds appropriated in this or any other Act may be used by the United States Army Corps of Engineers to support activities related to the proposed Ridge Landfill in Tuscarawas County, Ohio.

SEC. 103. None of the funds appropriated in this Act, or any other Act, shall be used to demonstrate or implement any plans divesting or transferring of any Civil Works missions, functions, or responsibilities for the United States Army Corps of Engineers to other government agencies without specific direction in a subsequent Act of Congress.

SEC. 104. None of the funds appropriated in this or any other Act may be used by the United States Army Corps of Engineers to support activities related to the proposed Indian Run Sanitary Landfill in Sandy Township, Stark County, Ohio.

SEC. 105. ALAMOGORDO, NEW MEXICO. The project for flood protection at Alamogordo, New Mexico, authorized by the Flood Control Act of 1962 (Public Law 87-874), is modified to authorize and direct the Secretary to construct a flood detention basin to protect the north side of the City of Alamogordo, New Mexico, from flooding. The flood detention basin shall be constructed to provide protection from a 100-year flood event. The project cost share for the flood detention basin shall be consistent with section 103(a) of the Water Resources Development Act of 1986, notwithstanding section 202(a) of the Water Resources Development Act of 1996.

NAMING OF LOCK AND DAM 3, ALLEGHENY RIVER, PENNSYLVANIA

Sec. 106. (a) DESIGNATION.—Lock and dam numbered 3 on the Allegheny River, Pennsyl-

vania, shall be known and designated as the "C.W. Bill Young Lock and Dam".

(b) LEGAL REFERENCES.—A reference in any law, regulation, document, record, map, or other paper of the United States to the lock and dam referred to in subsection (a) shall be deemed to be a reference to the "C.W. Bill Young Lock and Dam".

SEC. 107. The Secretary of the Army may utilize continuing contracts in carrying out the studying, planning, or designing of a water resources project prior to the authorization of the project for construction.

SEC. 108. The Secretary is authorized to remove and dispose of oil bollards and associated debris in Burlington Harbor, Vermont.

SEC. 109. KAKE DAM REPLACEMENT, KAKE, ALASKA TECHNICAL CORRECTIONS. Section 105, Public Law 106-377, is amended by striking "\$7,000,000" and inserting "\$11,000,000 at full Federal expense".

SEC. 110. DEAUTHORIZATION OF PROJECT FOR NAVIGATION, PAWTUXET COVE, RHODE ISLAND. (a) IN GENERAL.—The portions of the project for navigation, Pawtuxet Cove, Rhode Island, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173) and described in subsection (b) shall no longer be authorized after the date of enactment of this Act.

(b) DESCRIPTIONS.—The portions of the project referred to in subsection (a) are the following:

(1) Beginning at a point along the western edge of the 6-foot channel just south of the 6-foot turning basin: N247,856.00, E530,338.00, thence running north 51 degrees 44 minutes 12.5 seconds west 214.77 feet to a point N247,989.00, E530,169.37, thence running north 13 degrees 14 minutes 48.8 seconds west 149.99 feet to a point N248,135.00, E530,135.00, thence running north 44 degrees 11 minutes 7.4 seconds east 137.77 feet to a point N248,233.79, E530,231.02, thence running north 3 degrees 58 minutes 18.8 seconds west 300.00 feet to a point N248,533.07, E530,210.24 thence running north 86 degrees 1 minute 34.3 seconds east 35.00 feet to a point N248,535.50, E530,245.16, thence running south 3 degrees 58 minutes 21.0 seconds east 342.49 feet to a point N248,193.83, E530,268.88, thence running south 44 degrees 11 minutes 7.4 seconds west 135.04 feet to a point N248,097.00, E530,174.77, thence running south 13 degrees 14 minutes 48.8 seconds east 85.38 feet to a point N248,013.89, E530,194.33, thence running south 51 degrees 44 minutes 12.5 seconds east 166.56 feet to a point N247,910.74, E530,325.11 thence running south 13 degrees 14 minutes 49.2 seconds east 56.24 feet to the point of origin.

(2) Beginning at a point along the eastern edge of the 6-foot channel opposite the 6-foot turning basin: N248,180.00, E530,335.00, thence running south 32 degrees 12 minutes 35.3 seconds east 88.25 feet to a point N248,105.33, E530,382.04, thence running south 13 degrees 14 minutes 49.2 seconds east 138.48 feet to a point N247,970.53, E530,413.77, thence running north 32 degrees 12 minutes 35.3 seconds west 135.42 feet to a point N248,085.12, E530,341.59, thence running north 3 degrees 58 minutes 21.0 seconds west 95.11 feet to the point of origin.

(3) Beginning at a point along the eastern edge of the channel adjacent to the 6-foot entrance channel: N246,630.77, E530,729.17, thence running south 13 degrees 14 minutes 49.2 seconds east 35.55 feet to a point N246,596.16, E530,737.32, thence running south 51 degrees 31 minutes 38.6 seconds east 283.15 feet to a point N246,420.00, E530,959.00, thence running north 47 degrees 28 minutes 37.2 seconds west 311.84 feet returning to a point N246,630.77, E530,729.17.

SEC. 111. (a) The Secretary of the Army is authorized to provide technical, planning, design and construction assistance to non-Federal interests to remedy adverse environmental and human health impacts in Ottawa County, Oklahoma. In providing assistance, the Secretary shall coordinate with the State, Tribal, and local interests. The Secretary may undertake im-

plementation of such activities as the Secretary determines to be necessary or advisable to demonstrate practicable alternatives, such activities shall include measures to address lead exposure and other environmental problems related to historical mining activities in the area.

(b) In carrying out subsection (a), the Secretary may utilize, through contracts or other means, the services of the University of Oklahoma, the Oklahoma Department of Environmental Quality, or such other entities as the Secretary determines to be appropriate.

(c) Notwithstanding any other provision of law, the Secretary shall not incur liability under the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) for activities undertaken pursuant to this section.

(d) Non-Federal interests shall be responsible for providing any necessary lands, easements or rights-of-way required for implementation of activities authorized by this section and shall be responsible for operating and maintaining any restoration alternatives constructed or carried out pursuant to this section. All other costs shall be borne by the Federal Government.

(e) There is authorized to be appropriated \$15,000,000 to carry out the purposes of this section.

SEC. 112. The amount of \$2,000,000 previously provided under the heading "Construction, General" in title I of the Energy and Water Development Appropriations Act, 2003, division D of Public Law 108-7, is to be used to provide technical assistance at full Federal expense, to Alaskan communities to address the serious impacts of coastal erosion.

SEC. 113. ST. GEORGES BRIDGE, DELAWARE. None of the funds made available in this Act may be used to carry out any activity relating to closure or removal of the St. Georges Bridge across the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, including a hearing or any other activity relating to preparation of an environmental impact statement concerning the closure or removal.

SEC. 114. Section 214(a) of Public Law 106-541 is amended by striking "2003" and inserting "2005".

SEC. 115. The Secretary of the Army, acting through the Chief of Engineers, shall direct construction of Alternative 1 (Northeast Corner) for the project authorized in section 353 of Public Law 105-277 notwithstanding any other provision of law.

SEC. 116. The Secretary of the Army, acting through the Chief of Engineers, is authorized to undertake appropriate planning, design, and construction measures for wildfire prevention and restoration in the Middle Rio Grande bosque in and around the City of Albuquerque. Work shall be directed toward those portions of the bosque which have been damaged by wildfire or are in imminent danger of damage from wildfire due to heavy fuel loads and impediments to emergency vehicle access.

SEC. 117. Section 595 of the Water Resources Development Act of 1999 (113 Stat. 383; 117 Stat. 142) is amended—

(1) by striking the section heading and inserting the following:

"SEC. 595. IDAHO, MONTANA, RURAL NEVADA, NEW MEXICO, AND RURAL UTAH.";

(2) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(B) by striking (a) and all that follows through "means—" and inserting the following: "(a) DEFINITIONS.—In this section:

"(1) RURAL NEVADA.—The term 'rural Nevada' means"; and

(C) by adding at the end the following:

"(2) RURAL UTAH.—The term 'rural Utah' means—

"(A) the counties of Box Elder, Cache, Rich, Tooele, Morgan, Summit, Daggett, Wasatch,

Duchesne, Uintah, Juab, Sanpete, Carbon, Milard, Sevier, Emery, Grand, Beaver, Piute, Wayne, Iron, Garfield, San Juan, and Kane, Utah; and

"(B) the portions of Washington County, Utah, that are located outside the city of St. George, Utah.";

(3) in subsections (b) and (c), by striking "Nevada, Montana, and Idaho" and inserting "Idaho, Montana, rural Nevada, New Mexico, and rural Utah"; and

(4) in subsection (h), by striking "2001—" and all that follows and inserting "2001 \$25,000,000 for each of Idaho, Montana, New Mexico, and rural Utah, to remain available until expended.";

SEC. 118. Section 560(f) of Public Law 106-53 is amended by striking "\$5,000,000" and inserting "\$7,500,000".

SEC. 119. Section 219(f) of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4835), as amended by section 502(b) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 335) and section 108(d) of title I of division B of the Miscellaneous Appropriations Act, 2001 (as enacted by Public Law 106-554; 114 Stat. 2763A-220), is further amended by adding at the end the following:

"(71) CORONADO, CALIFORNIA.—\$10,000,000 is authorized for wastewater infrastructure, Coronado, California."

SEC. 120. Section 592(g) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 380) is amended by striking "\$25,000,000 for the period beginning with fiscal year 2000" and inserting "\$100,000,000".

SEC. 121. PARK RIVER, GRAFTON, NORTH DAKOTA. Section 364(5) of the Water Resources Development Act of 1999 (113 Stat. 314) is amended—

(1) by striking "\$18,265,000" and inserting "\$21,075,000"; and

(2) by striking "\$9,835,000" and inserting "\$7,025,000".

SEC. 122. SCHUYLKILL RIVER PARK, PHILADELPHIA, PENNSYLVANIA. The Secretary of the Army shall provide technical, planning, design, and construction assistance for Schuylkill River Park, Philadelphia, Pennsylvania, in accordance with section 564(c) of the Water Resources Development Act of 1996 (Public Law 104-303; 110 Stat. 3785), as contained in the February 2003 report of the Philadelphia District based on regional economic development benefits, at a Federal share of 50 percent and a non-Federal share of 50 percent.

SEC. 123. GWYNNNS FALLS WATERSHED, BALTIMORE, MARYLAND. The Secretary of the Army shall implement the project for ecosystem restoration, Gwynns Falls, Maryland, in accordance with the Baltimore Metropolitan Water Resources-Gwynns Falls Watershed Feasibility Report prepared by the Corps of Engineers and the City of Baltimore, Maryland.

SEC. 124. SNAKE RIVER CONFLUENCE INTERPRETATIVE CENTER, CLARKSTON, WASHINGTON. (a) IN GENERAL.—The Secretary of the Army, acting through the Chief of Engineers (referred to in this section as the "Secretary") is authorized and shall carry out a project to plan, design, construct, furnish, and landscape a federally owned and operated Collocated Civil Works Administrative Building and Snake River Confluence Interpretative Center, as described in the Snake River Confluence Center Project Management Plan.

(b) LOCATION.—The project—

(1) shall be located on Federal property at the confluence of the Snake River and the Clearwater River, near Clarkston, Washington; and

(2) shall be considered to be a capital improvement of the Clarkston office of the Lower Granite Project.

(c) EXISTING STRUCTURES.—In carrying out the project, the Secretary may demolish or relocate existing structures.

(d) COST SHARING.—

(1) TOTAL COST.—The total cost of the project shall not exceed \$3,500,000 (excluding interpretative displays).

(2) FEDERAL SHARE.—The Federal share of the cost of the project shall be \$3,000,000.

(3) NON-FEDERAL SHARE.—

(A) IN GENERAL.—The non-Federal share of the cost of the project—

(i) shall be \$500,000; and

(ii) may be provided—

(I) in cash; or

(II) in kind, with credit accorded to the non-Federal sponsor for provision of all necessary services, replacement facilities, replacement land (not to exceed 4 acres), easements, and rights-of-way acceptable to the Secretary and the non-Federal sponsor.

(B) INTERPRETIVE EXHIBITS.—In addition to the non-Federal share described in subparagraph (A), the non-Federal sponsor shall fund, operate, and maintain all interpretative exhibits under the project.

SEC. 125. FLOOD DAMAGE REDUCTION, MILL CREEK, CINCINNATI, OHIO. The Secretary of the Army is directed to complete the General Re-evaluation Report on the Mill Creek, Ohio, project within 15 months of enactment of this Act at 100 percent Federal cost. The report shall provide plans for flood damage reduction throughout the basin equivalent to and commensurate with that afforded by the authorized, partially implemented, Mill Creek, Ohio, Flood Damage Reduction Project, as authorized in section 201 of the Flood Control Act of 1970 (Public Law 91-611).

SEC. 126. LAKES MARION AND MOULTRIE, SOUTH CAROLINA. Section 219(f)(25) of the Water Resources Development Act of 1992 (113 Stat. 336; 114 Stat. 2763A-220) is amended—

(1) by striking "\$15,000,000" and inserting "\$35,000,000"; and

(2) by inserting "wastewater treatment and" before "water supply".

SEC. 127. Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 335-337; 114 Stat. 2763A-220-221) is amended by adding at the end the following: "CHARLESTON, SOUTH CAROLINA.—\$5,000,000 for wastewater infrastructure, including wastewater collection systems, Charleston, South Carolina."

SEC. 128. AMERICAN RIVER WATERSHED, CALIFORNIA. (a) IN GENERAL.—The Secretary of the Army is authorized to carry out the project for flood damage reduction and environmental restoration, American River Watershed, California, substantially in accordance with the plans, and subject to the conditions, described in the Report of the Chief of Engineers dated November 5, 2002, at a total cost of \$257,300,000, with an estimated Federal cost of \$201,200,000 and an estimated non-Federal cost of \$56,100,000; except that the Secretary is authorized to accept funds from State and local governments and other Federal agencies for the purpose of constructing a permanent bridge instead of the temporary bridge described in the recommended plan and may construct such permanent bridge if all additional costs for such bridge, above the \$36,000,000 provided for in the recommended plan for bridge construction, are provided by such governments or agencies.

(b) EXPEDITING BRIDGE DESIGN AND CONSTRUCTION.—The Secretary, in cooperation with appropriate non-Federal interests, shall immediately commence appropriate studies for, and the design of, a permanent bridge (including an evaluation of potential impacts of bridge construction on traffic patterns and identification of alternatives for mitigating such impacts) and, upon execution of a cost-sharing agreement with such non-Federal interests, shall proceed to construction of the bridge as soon as practicable; except that such studies, design, and construction shall not adversely affect the schedule of design or construction of authorized projects for flood damage reduction.

SEC. 129. AMERICAN AND SACRAMENTO RIVERS, CALIFORNIA. The project for flood damage re-

duction, American and Sacramento Rivers, California, authorized by section 101(a)(1) of the Water Resources Development Act of 1996 (110 Stat. 3662-3663) and modified by section 366 of the Water Resources Development Act of 1999 (113 Stat. 319-320), is further modified to direct the Secretary to carry out the project, at a total cost of \$205,000,000.

SEC. 130. PLACER AND EL DORADO COUNTIES, CALIFORNIA. (a) ESTABLISHMENT OF PROGRAM.—The Secretary of the Army may establish a program to provide environmental assistance to non-Federal interests in Placer and El Dorado Counties, California.

(b) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance to improve the efficiency and use of existing water supplies in Placer and El Dorado Counties through water and wastewater projects, programs, and infrastructure.

(c) OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(d) PARTNERSHIP AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a partnership agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each partnership agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the project costs under each partnership agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR WORK.—The non-Federal interests shall receive credit for the reasonable cost of design work on a project completed by the non-Federal interest before entering into a partnership agreement with the Secretary for such project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(b)), for any project undertaken under this section, a non-Federal interest may include a nonprofit entity with the consent of the affected local government.

(h) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out

this section may be used by the Corps of Engineers district offices to administer projects under this section at 100 percent Federal expense.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$40,000,000. Such sums shall remain available until expended.

SEC. 131. SACRAMENTO AREA, CALIFORNIA. Section 219(f)(23) of the Water Resources Development Act of 1992 (106 Stat. 4835–4836; 113 Stat. 336) is amended by striking “\$25,000,000” and inserting “\$35,000,000”.

SEC. 132. UPPER KLAMATH BASIN, CALIFORNIA. (a) DEFINITION OF UPPER KLAMATH BASIN.—In this section, the term “Upper Klamath Basin” means the counties of Klamath, Oregon, and Siskiyou and Modoc, California.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary of the Army may establish a program to provide environmental assistance to non-Federal interests in the Upper Klamath Basin.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance to improve the efficiency and use of existing water supplies in the Upper Klamath Basin through water and wastewater and ecosystem restoration projects, programs, and infrastructure.

(d) OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) PARTNERSHIP AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a partnership agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each partnership agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the project costs under each partnership agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR WORK.—The non-Federal interests shall receive credit for the reasonable cost of design work on a project completed by the non-Federal interest before entering into a partnership agreement with the Secretary for such project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), for any project undertaken under this section, a non-Federal interest may include a nonprofit entity with the consent of the affected local government.

(h) CORPS OF ENGINEERS EXPENSES.—Ten percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at 100 percent Federal expense.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000. Such sums shall remain available until expended.

SEC. 133. ADDITIONAL ASSISTANCE FOR CRITICAL PROJECTS. Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 335–337; 114 Stat. 2763A–220–221) is amended by adding at the end the following:

“(71) PLACER AND EL DORADO COUNTIES, CALIFORNIA.—\$35,000,000 to improve the efficiency and use of existing water supplies in Placer and El Dorado Counties, California, through water and wastewater projects, programs, and infrastructure.

“(72) LASSEN, PLUMAS, BUTTE, SIERRA, AND NEVADA COUNTIES, CALIFORNIA.—\$25,000,000 to improve the efficiency and use of existing water supplies in the counties of Lassen, Plumas, Butte, Sierra, and Nevada, California, through water and waste water projects, programs, and infrastructure.”.

SEC. 134. BRIDGE AUTHORIZATION. There is authorized to be appropriated \$30,000,000 for the construction of the permanent bridge described in section 128(a).

SEC. 135. Section 504(a)(2) of the Water Resources Development Act of 1999 (113 Stat. 338) is amended by striking “Kehly Run Dam” and inserting “Kehly Run Dams”.

SEC. 136. The McClellan-Kerr Arkansas River navigation project, authorized under the comprehensive plan for the Arkansas River Basin by section 3 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved June 28, 1938 (52 Stat. 1218) and section 10 of the Flood Control Act of 1946 (60 Stat. 647) and where applicable the provisions of the River and Harbor Act of 1946 (60 Stat. 634) and modified by section 108 of the Energy and Water Development Appropriations Act, 1988 (101 Stat. 1329–112), is further modified to authorize a project depth of 12 feet.

SEC. 137. The Secretary shall provide credit to the non-Federal sponsor for preconstruction engineering and design work performed by the non-Federal sponsor for the environmental dredging project at Ashtabula River, Ohio, prior to execution of a Project Cooperation Agreement.

SEC. 138. GATEWAY POINT, NORTH TONAWANDA, NEW YORK. The Secretary shall review the shoreline stabilization, recreation, and public access components of the feasibility report for waterfront development at Gateway Point, North Tonawanda, New York, entitled “City of North Tonawanda, Gateway Point Feasibility”, dated February 6, 2003, and prepared by the non-Federal interest and, if the Secretary determines that those components meet the evaluation and design standards of the Corps of Engineers and that the components are feasible, may carry out the components at a Federal cost not to exceed \$3,300,000.

SEC. 139. CHICAGO RIVER AND HARBOR ILLINOIS. Those portions of the projects for navigation, Chicago River and Chicago Harbor, authorized by the River and Harbor Act of March 3, 1899, (30 Stat. 1129) extending 50 feet riverward of the existing dock wall on the south side of the channel from Lake Street to Franklin Street and 25 feet riverward of the existing dock wall on the south side of the channel from Franklin Street to Wabash Avenue, and those areas within 20 feet of the bridge abutments on the south side of the channel for the length of

the protection bridge piers from the Franklin Street Bridge to the Michigan Avenue Bridge shall no longer be authorized after the date of enactment of this Act.

SEC. 140. SAN FRANCISCO, CALIFORNIA. CAPITAL IMPROVEMENT PROJECT.—

(1) ESTABLISHMENT OF OFFICE.—The Secretary shall establish a centralized office at the office of the district engineer, San Francisco, California, for the use of all Federal and State agencies that are or will be involved in issuing permits and conducting environmental reviews for the capital improvement project to repair and upgrade the water supply and delivery system for the city of San Francisco.

(2) CONTRIBUTIONS.—The Secretary may use the authority under section 214 of the Water Resources Development Act of 2000 (33 U.S.C. 2201 note) for the project described in paragraph (1).

(3) PROTECTION OF IMPARTIAL DECISION-MAKING.—In carrying out this section, the Secretary and the heads of Federal agencies receiving funds under such section 214 for the project described in paragraph (1) shall ensure that the use of the funds accepted under such section for such project will not impact impartial decision making with respect to the issuance of permits, either substantively or procedurally, or diminish, modify, or otherwise affect the statutory or regulatory authorities of such agencies.

SEC. 141. WOLF LAKE, INDIANA. The project for aquatic ecosystem restoration, Wolf Lake, Indiana, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the project cooperation agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 142. COOK COUNTY, ILLINOIS. The Secretary of the Army is directed to credit up to \$80,000 for design work completed by non-Federal interests, prior to and after the signing of the project cooperation agreement, toward the non-Federal share of the project for Calumet and Burr Oaks Schools Sewer Improvements, Cook County, Illinois, authorized by section 219(f)(54) of the Water Resources Development Act of 1992 (Public Law 102–580, as amended), if the Secretary determines that the work is integral to the project.

SEC. 143. LOS ANGELES HARBOR, LOS ANGELES, CALIFORNIA. The project for navigation, Los Angeles Harbor, Los Angeles, California, authorized by section 101(b)(5) of the Water Resources Development Act of 2000 (114 Stat. 2577), is modified to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of the planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 144. SAN LORENZO RIVER, CALIFORNIA. The project for flood control, San Lorenzo River, California, authorized by section 101(a)(5) of the Water Resources Development Act of 1996 (110 Stat. 3663), is modified to direct the Secretary to credit not more than \$2,000,000 toward the non-Federal share of the cost of the project for the cost of the work carried out by the non-Federal interest before the date of the project cooperation agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 145. CALUMET REGION, INDIANA. Section 219(f)(12) of the Water Resources Development Act of 1992 (113 Stat. 335) is amended—

(1) by striking “\$10,000,000” and inserting “\$30,000,000”; and

(2) by striking “Lake and Porter” and inserting “Benton, Jasper, Lake, Newton, and Porter”.

SEC. 146. The Secretary of the Army, acting through the Chief of Engineers, is authorized to

construct the project for flood control, Meramec River Basin, Valley Park Levee, Missouri, originally authorized by Public Law 97-128 (95 Stat. 1682) and modified by section 1128 of WRDA 1986 and section 333 of WRDA 1999, at a maximum Federal expenditure of \$50,000,000.

SEC. 147. The project for flood control, Saw Mill Run, Pennsylvania, authorized by section 401(a) of Public Law 99-662 (100 Stat. 4124) and modified by section 301(a) of Public Law 104-303 (110 Stat. 3708), is further modified to authorize the Secretary to carry out the project at a total cost of \$22,000,000, with an estimated Federal cost of \$16,500,000 and an estimated non-Federal cost of \$5,500,000.

SEC. 148. The project for flood control, Roanoke River Upper Basin, Virginia, authorized by section 401(a) of Public Law 99-662 (100 Stat. 4126), is further modified to authorize the Secretary to construct the project at a total cost of \$61,700,000, with an estimated Federal cost of \$43,000,000 and an estimated non-Federal cost of \$18,700,000.

SEC. 149. The project for harbor deepening, Brunswick Harbor, Georgia, authorized by section 101(a)(19), Public Law 106-53, and amended by the fiscal year 2003 Consolidated Appropriations Act, Public Law 108-7, is further modified to authorize the Secretary to construct the project at a total cost of \$96,276,000 with an estimated Federal cost of \$61,709,000 and an estimated non-Federal cost of \$34,567,000.

SEC. 150. The project for flood control, Lackawanna River at Olyphant, Pennsylvania, authorized by section 101(16) of Public Law 102-580 (106 Stat. 4797), is modified to authorize the Secretary to carry out the project at a total cost of \$23,000,000, with an estimated Federal cost of \$17,250,000 and an estimated non-Federal cost of \$5,750,000.

SEC. 151. PERRY CREEK, IOWA. The project for flood protection, Perry Creek Flood Control Project, Sioux City, Iowa, authorized under section 401(a) of the Water Resources Development Act of 1986, is modified to increase the project authorization to \$96,870,000 (Federal cost of \$58,677,000 and non-Federal cost of \$38,193,000).

SEC. 152. ELIZABETH RIVER, CHESAPEAKE, VIRGINIA. Section 358 of Public Law 106-53 is modified by striking "September 30, 1999," and inserting "May 1, 1997,".

SEC. 153. Section 219(f) of the Water Resources Development Act of 1992 is amended by adding at the end the following:

"(71) \$6,430,000 for environmental infrastructure for Indianapolis, Indiana;"

SEC. 154. MISSISSIPPI RIVER AND BIG MUDDY RIVER, ILLINOIS. (a) IN GENERAL.—The project for flood control, Mississippi River and Big Muddy River, Illinois, authorized by the Flood Control Act of 1938, is modified to authorize the Secretary to carry out repair and rehabilitation of the project at a total cost of \$22,600,000, with an estimated Federal cost of \$16,950,000 and an estimated non-Federal cost of \$5,650,000, and to perform operation and maintenance of the project thereafter.

(b) OTHER ASSISTANCE.—Federal assistance made available through the Department of Agriculture may be used toward payment of the non-Federal share of the costs of the repair and rehabilitation under this section.

(c) UNITED STATES LANDS.—Costs under this section for the repair and rehabilitation allocable to the protection of lands owned by the United States shall be a Federal responsibility. The Secretary shall seek reimbursement from the Secretary of Agriculture for the costs allocated to protecting lands owned by the Department of Agriculture.

(d) OPERATION AND MAINTENANCE OF NON-FEDERAL LANDS.—The cost of operation and maintenance under this section allocated to protecting non-Federal lands shall be a non-Federal responsibility.

SEC. 155. MOSS LAKE, LOUISIANA. The Secretary of the Army, acting through the Chief of Engineers, is authorized to carry out a project

to restore lake depths at Moss Lake, Louisiana, adjacent to the Calcasieu River and Pass channel at a total project cost of \$2,500,000.

SEC. 156. The project for navigation, Manatee Harbor, Florida, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4093), and modified by section 102(j) of the Water Resources Development Act of 1990 (104 Stat. 4612), is further modified—

(1) to include the construction of an extension of the south channel a distance of approximately 1584 feet consistent with the general reevaluation report, dated April 2002, prepared by the Jacksonville District Corps of Engineers, at a total cost of \$11,300,000, with an estimated Federal cost of \$8,475,000 and an estimated non-Federal cost of \$2,825,000;

(2) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of in-kind services and materials provided for the project by the non-Federal interest;

(3) to direct the Secretary to credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that the work is integral to the project; and

(4) to authorize the Secretary to carry out the project as modified at a total cost of \$61,500,000.

SEC. 157. HARRIS GULLY, HARRIS COUNTY, TEXAS.

(a) STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction in the Harris Gully watershed, Harris County, Texas, to provide flood protection for the Texas Medical Center, Houston, Texas.

(2) USE OF LOCAL STUDIES AND PLANS.—In conducting the study, the Secretary shall use, to the extent practicable, studies and plans developed by the non-Federal interest if the Secretary determines that such studies and plans meet the evaluation and design standards of the Corps of Engineers.

(3) COMPLETION DATE.—The Secretary shall complete the study by July 1, 2004.

(b) CRITICAL FLOOD DAMAGE REDUCTION MEASURES.—The Secretary may carry out critical flood damage reduction measures that the Secretary determines are feasible and that will provide immediate and substantial flood damage reduction benefits in the Harris Gully watershed, at a Federal cost of \$7,000,000.

(c) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of planning, design, and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project if the Secretary determines that such work is integral to the project.

(d) NONPROFIT ENTITY.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b), a nonprofit entity may, with the consent of the local government, serve as a non-Federal interest for the project undertaken under this section.

SEC. 158. The Secretary may carry out the Reach J, Segment I, element of the project for hurricane and storm damage reduction, Morganza to the Gulf of Mexico, Louisiana, in accordance with the report of the Chief of Engineers, dated August 23, 2002, and supplemental report dated July 22, 2003, at a total cost of \$4,000,000.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$36,463,000, to remain available until expended, of which \$9,423,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, \$1,728,000, to remain available until expended.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES (INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, \$857,498,000, to remain available until expended, of which \$51,330,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$33,570,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; and of which not more than \$500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l-6a(i) shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis: Provided further, That \$1,000,000 is to be used for completion of the Santa Fe wells project in New Mexico through a cooperative agreement with the City of Santa Fe: Provided further, That \$10,000,000 of the funds appropriated herein shall be deposited in the San Gabriel Basin Restoration Fund established by section 110 of division B, title I of Public Law 106-554, as amended: Provided further, That section 301 of Public Law 102-250, Reclamation States Emergency Drought Relief Act of 1991, as amended, is amended further by inserting "2003, and 2004" in lieu of "and 2003".

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For administrative expenses necessary to carry out the program for direct loans and/or grants, \$200,000, to remain available until expended, of which the amount that can be financed by the Reclamation Fund shall be derived from that fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, \$39,600,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102-575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575: Provided further, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if

the water is already committed to in-stream purposes by a court adopted decree or order.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, \$55,525,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

WORKING CAPITAL FUND (RESCISSION)

From unobligated balances under this heading, \$4,525,000 are rescinded.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed 14 passenger motor vehicles, of which 12 are for replacement only.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the "Cleanup Program-Alternative Repayment Plan" and the "SJVDP-Alternative Repayment Plan" described in the report entitled "Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 202. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106-60.

SEC. 203. Subsection 206(b) of Public Law 101-514 is amended as follows: In paragraph (1), strike ", with annual quantities delivered under these contracts to be determined by the Secretary based upon the quantity of water actually needed within the Sacramento County Water Agency service area and San Juan Suburban Water District after considering reasonable efforts to: (i) promote full utilization of existing water entitlements within Sacramento County; (ii) implement water conservation and metering programs within the areas served by the contract; and (iii) implement programs to maximize to the extent feasible conjunctive use of surface water and groundwater."

SEC. 204. The Secretary of the Interior is authorized and directed to amend the Central Valley Project water supply contracts of the Sacramento County Water Agency and the San Juan Suburban Water District by deleting a provision requiring a determination of annual water needs included pursuant to section 206 of Public Law 101-514.

SEC. 205. LOWER COLORADO RIVER BASIN DEVELOPMENT. (a) IN GENERAL.—Notwithstanding

section 403(f) of the Colorado River Basin Project Act (43 U.S.C. 1543(f)), no amount from the Lower Colorado River Basin Development Fund shall be paid to the general fund of the Treasury until each provision of the revised Stipulation Regarding a Stay and for Ultimate Judgment Upon the Satisfaction of Conditions, filed in United States District Court on April 24, 2003, in *Central Arizona Water Conservation District v. United States* (No. CIV 95-625-TUC-WDB (EHC), No. CIV 95-1720-OHX-EHC (Consolidated Action)), and any amendment or revision thereof, is met.

(b) PAYMENT TO GENERAL FUND.—If any of the provisions of the stipulation referred to in subsection (a) are not met by the date that is 10 years after the date of enactment of this Act, payments to the general fund of the Treasury shall resume in accordance with section 403(f) of the Colorado River Basin Project Act (43 U.S.C. 1543(f)).

(c) AUTHORIZATION.—Amounts in the Lower Colorado River Basin Development Fund that but for this section would be returned to the general fund of the Treasury shall not be expended until further Act of Congress.

SEC. 206. The second paragraph under the heading "Administrative Provisions" in Public Law 102-377 (43 U.S.C. 377b) is amended by inserting ", not to exceed \$5,000,000 for each causal event giving rise to a claim or claims" after "activities of the Bureau of Reclamation".

SEC. 207. Funds under this title for Drought Emergency Assistance shall be made available primarily for leasing of water for specified drought related purposes from willing lessors, in compliance with existing State laws and administered under State water priority allocation. Such leases may be entered into with an option to purchase: Provided, That such purchase is approved by the State in which the purchase takes place and the purchase does not cause economic harm within the State in which the purchase is made.

SEC. 208. (a) Notwithstanding any other provision of law, the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, may not obligate funds appropriated for the current fiscal year or any prior Energy and Water Development Appropriations Act, or funds otherwise made available to the Commissioner of the Bureau of Reclamation, and may not use discretion, if any, to restrict, reduce or reallocate any water stored in Heron Reservoir or delivered pursuant to San Juan-Chama Project contracts, including execution of said contracts facilitated by the Middle Rio Grande Project, to meet the requirements of the Endangered Species Act, unless such water is acquired or otherwise made available from a willing seller or lessor and the use is in compliance with the laws of the State of New Mexico, including but not limited to, permitting requirements.

(b) Complying with the reasonable and prudent alternatives and the incidental take limits defined in the Biological Opinion released by the United States Fish and Wildlife Service dated March 17, 2003 combined with efforts carried out pursuant to Public Law 106-377, Public Law 107-66, and Public Law 108-7 fully meet all requirements of the Endangered Species Act (16 U.S.C. 1531 et seq.) for the conservation of the Rio Grande Silvery Minnow (*Hybognathus amarus*) and the Southwestern Willow Flycatcher (*Empidonax traillii extimus*) on the Middle Rio Grande in New Mexico.

(c) This section applies only to those Federal agency and non-Federal actions addressed in the March 17, 2003 Biological Opinion.

(d) Subsection (b) will remain in effect for 2 years following the implementation of this Act.

SEC. 209. ENDANGERED SPECIES COLLABORATIVE PROGRAM. (a) Using funds previously appropriated, the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation and the Director of the Fish and Wildlife Service, for purposes of improving the efficiency and expediting the efforts of the En-

dangered Species Act Collaborative Program Workgroup, is directed to establish an executive committee of seven members consisting of—

(1) one member from the Bureau of Reclamation;

(2) one member from the Fish and Wildlife Service; and

(3) one member at large representing each of the following seven entities (selected at the discretion of the entity in consultation with the Bureau of Reclamation and the Fish and Wildlife Service) currently participating as signatories to the existing Memorandum of Understanding:

(A) other Federal agencies;

(B) State agencies;

(C) municipalities;

(D) universities and environmental groups;

(E) agricultural communities;

(F) Middle Rio Grande Pueblos (Sandia, Isleta, San Felipe, Cochiti, Santa Ana, and Santo Domingo); and

(G) Middle Rio Grande Conservancy District.

(b) Formation of this Committee shall not occur later than 45 days after enactment of this Act.

(c) Fiscal year 2004 appropriations shall not be obligated or expended prior to approval of a detailed spending plan by the House and Senate Committees on Appropriations.

(d) The above section shall come into effect within 180 days of enactment of this Act, unless the Bureau of Reclamation, in consultation with the above listed parties, has provided an alternative workgroup structure which has been approved by the House and Senate Committees on Appropriations.

SEC. 210. TULAROSA BASIN NATIONAL DESALINATION RESEARCH FACILITY. (a) DESALINATION DEMONSTRATION AND DEVELOPMENT.—Pursuant to section 4(a) of Public Law 104-298, 110 Stat. 3622 (October 11, 1996), the Secretary may hereafter conduct or contract for the design, construction, testing and operation of the Tularosa Basin National Desalination Research Facility.

(b) The Tularosa Basin National Desalination Research Facility is hereafter exempt from all provisions of section 7 of Public Law 104-298, 110 Stat. 3622 (October 11, 1996). The Federal share of the cost of the Tularosa Basin National Desalination Research Facility may be up to 100 percent, including the cost of design, construction, operation, maintenance, repair and rehabilitation.

SEC. 211. The Secretary of the Interior, in carrying out CALFED-related activities, may undertake feasibility studies for Sites Reservoir, Los Vaqueros Reservoir Enlargement, and Upper San Joaquin Storage projects, hereafter. These storage studies should be pursued along with ongoing environmental and other projects in a balanced manner.

SEC. 212. The Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, is authorized to enter into grants, cooperative agreements, and other agreements with irrigation or water districts to fund up to 50 percent of the cost of planning, designing, and constructing improvements that will conserve water, increase water use efficiency, or enhance water management through measurement or automation, at existing water supply projects within the states identified in the Act of June 17, 1902, as amended, and supplemented: Provided, That when such improvements are to Federally owned facilities, such funds may be provided in advance on a non-reimbursable basis to an entity operating affected transferred works or may be deemed non-reimbursable for non-transferred works: Provided further, That the calculation of the non-Federal contribution shall provide for consideration of the value of any in-kind contributions, but shall not include funds received from other Federal agencies: Provided further, That the cost of operating and maintaining such improvements shall be the responsibility of the non-Federal entity: Provided further, That this section shall not supercede

any existing project-specific funding authority. The Secretary is also authorized to enter into grants or cooperative agreements with universities or non-profit research institutions to fund water use efficiency research.

SEC. 213. HAWAII WATER RESOURCES STUDY. The Hawaii Water Resources Act of 2000 (Public Law 106-566; 114 Stat. 2818) is amended—

(1) in section 103—

(A) in subsection (b)(1), by striking “Not” and all that follows through “the Secretary” and inserting “The Secretary” and

(B) in subsection (e), by striking “\$300,000” and all that follows and inserting “\$2,000,000 for the Federal share of the activities authorized under this section”; and

(2) in section 104(b), by striking “cost-effective,” and all that follows and inserting “cost-effective.”

SEC. 214. Notwithstanding the provisions of title IV of Public Law 102-575 (106 Stat. 4648), the contributions of the Western Area Power Administration to the Utah Reclamation Mitigation and Conservation Account shall expire 10 fiscal years from the date of enactment of this Act. Such contributions shall be from an account established by the Western Area Power Administration for this purpose and such contributions shall be made available to the Utah Reclamation Mitigation and Conservation Account subject to appropriations. After 10 fiscal years from the date of enactment of this Act, the Utah Reclamation Mitigation and Conservation Commission is hereby authorized to utilize interest earned and accrued to the Utah Reclamation Mitigation and Conservation Account.

SEC. 215. TUALATIN RIVER BASIN, OREGON. (a) AUTHORIZATION TO CONDUCT FEASIBILITY STUDY.—The Secretary of the Interior may conduct a Tualatin River Basin water supply feasibility study—

(1) to identify ways to meet future water supply needs for agricultural, municipal, and industrial uses;

(2) to identify water conservation and water storage measures;

(3) to identify measures that would—

(A) improve water quality; and

(B) enable environmental and species protection; and

(4) as appropriate, to evaluate integrated water resource management and supply needs in the Tualatin River Basin, Oregon.

(b) FEDERAL SHARE.—The Federal share of the cost of the study conducted under subsection (a)—

(1) shall not exceed 50 percent; and

(2) shall be nonreimbursable and nonreturnable.

(c) ACTIVITIES.—No activity carried out under this section shall be considered a supplemental or additional benefit under Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)).

(d) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$2,900,000, to remain available until expended.

SEC. 216. FACILITATION OF INDIAN WATER RIGHTS IN ARIZONA. In order to facilitate Indian water rights settlements in the State of Arizona, the Secretary may:

(1) Extend, on an annual basis, the repayment schedule of debt incurred under section 9(d) of the Act of August 4, 1939 (43 U.S.C. 485h(d)) by irrigation districts who have contracts for water delivery from the Central Arizona Project.

(2) If requested by either the Gila River Indian Community or the San Carlos Apache Tribe, utilize appropriated funds transferred into the Lower Colorado River Basin Development Fund for construction of Indian Distribution systems to assist in the partial funding of costs associated with the on-reservation delivery of CAP water to these Indian tribes as set forth in the Bureau of Reclamation's FY 2004 Budget

Justifications, PF-2B Schedules for construction of the Central Arizona Project. These funds shall be non-reimbursable Operation and Maintenance funds and shall not exceed amounts projected for construction by these Indian tribes as set forth in the Bureau of Reclamation's PF-2B Schedules that support the FY 2004 Budget Justifications for the Central Arizona Project.

SEC. 217. RESTORATION OF FISH AND WILDLIFE HABITAT, PROVISION OF BOTTLED WATER FOR FALLON SCHOOLCHILDREN, AND ASSOCIATED PROVISIONS. (a) IN GENERAL.—In carrying out section 2507 of Public Law 107-171, title II, subtitle F, the Secretary of the Interior, acting through the Commissioner of Reclamation, shall—

(1) Notwithstanding section 2507 (b) of Public Law 107-171, title II, subtitle F, and in accordance with Public Law 101-618, provide \$2,500,000 to the State of Nevada to purchase water rights from willing sellers and make necessary improvements to benefit Carson Lake and Pasture; Provided, That such funds shall only be provided by the Bureau of Reclamation when the title to Carson Lake and Pasture is conveyed to the State of Nevada.

(2) As soon as practicable after enactment, provide \$133,000 to Families in Search of the Truth, Fallon, Nevada, for the purchase of bottled water and costs associated with providing such water to schoolchildren in Fallon-area schools.

(3) In consultation with the Pershing County Water Conservation District, the Commissioner shall expend \$270,000 for the State of Nevada's costs associated with the National Environmental Policy Act review of the Humboldt Title Transfer: Provided, That notwithstanding Public Law 107-282, section 804(d)-(f), the State of Nevada shall pay any other costs assigned to the State as an entity receiving title in Public Law 107-282, section 804(b)-(e) or due to any reconveyance under Public Law 107-282, section 804(f), including any such National Environmental Policy Act costs that exceed the \$270,000 expended by the Commissioner under this subparagraph.

(4) Provide \$1,000,000 to the University of Nevada, Reno's Biodiversity initiative for public education and associated technical assistance and outreach concerning the issues affecting the restoration of Walker Lake.

(b) ADMINISTRATION.—The Secretary of the Interior, acting through the Commissioner of Reclamation, may provide financial assistance to State and local public agencies, Indian tribes, nonprofit organizations, and individuals to carry out this section and section 2507 of Public Law 107-171.

SEC. 218. The Secretary of the Interior shall extend the term of the Sacramento River Settlement Contracts, long- and short-form, entered into by the United States with various districts and individuals, section 14 of the Reclamation Project Act of 1939 (53 Stat. 1197), for a period of 2 additional years after the date on which each of the contracts, respectively, would expire but for this section, or until renewal contracts are executed, whichever occurs earlier.

SEC. 219. (a) Section 1(b) of Public Law 105-295 (112 Stat. 2820) is amended by striking the second sentence and inserting the following: “The Federal share of the costs of constructing the temperature control device and associated temperature monitoring facilities shall be 50 percent and shall be nonreimbursable. The temperature control device and associated temperature monitoring facilities shall be operated by the non-Federal facility owner at its expense in coordination with the Central Valley Project for the benefit and propagation of Chinook salmon and steelhead trout in the American River, California.”

(b) Section 1(c) of Public Law 105-295 (112 Stat. 2820) is amended by striking “\$1,000,000” and inserting “\$3,500,000”.

SEC. 220. Not subject to fiscal year limitation, the Secretary of the Interior is hereafter authorized to implement, and enter into financial as-

sistance or other agreements as may be necessary to undertake such activities identified for implementation (including construction) generally in accordance with section III of, and the Pumping/Dam Removal Plan as defined in, United States District Court Consent Decree “United States, et al., v. Grants Pass Irrigation District, Civil No. 98-3034-HO” (August 27, 2001). There are authorized to be appropriated such sums as may be necessary to carry out this provision, and activities conducted under this provision shall be nonreimbursable and nonreturnable.

SEC. 221. EXTENSION OF CERTAIN IRRIGATION PROJECT CONTRACTS. Section 2 of the Irrigation Project Contract Extension Act of 1998 (112 Stat. 2816, 114 Stat. 1441, 1441A-70) is amended—

(1) in subsection (a), by striking “December 31, 2003” and inserting “December 31, 2005”; and

(2) in subsection (b)—

(A) in the first sentence, by striking “beyond December 31, 2003” and inserting “beyond December 31, 2005”; and

(B) in the second sentence, by striking “prior to December 31, 2003” and inserting “before December 31, 2005”.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy supply activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed 12 passenger motor vehicles for replacement only, including two buses; \$737,537,000, to remain available until expended.

NON-DEFENSE SITE ACCELERATION COMPLETION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management site acceleration activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$163,375,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL SERVICES

For Department of Energy expenses necessary for non-defense environmental services activities conducted as a result of nuclear energy research and development activities that indirectly support the accelerated cleanup and closure mission at environmental management sites, as well as new work scope transferred to the Environmental Management program, including the purchase, construction, and acquisition of plant and capital equipment and other necessary expenses, \$339,468,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954 and title X, subtitle A, of the Energy Policy Act of 1992, \$416,484,000, to be derived from the Fund, to remain available until expended, of which \$51,000,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of

plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed 15 passenger motor vehicles for replacement only, including not to exceed one ambulance, \$3,451,700,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, \$190,000,000, to remain available until expended and to be derived from the Nuclear Waste Fund: Provided, That none of the funds provided herein may be used for international travel.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed \$35,000), \$216,533,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total \$123,000,000 in fiscal year 2004 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 2004, and any related unappropriated receipt account balances remaining from prior years' miscellaneous revenues, so as to result in a final fiscal year 2004 appropriation from the general fund estimated at not more than \$93,533,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$39,462,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; one fixed wing aircraft for replacement only; and the purchase of not to exceed six passenger motor vehicles, of which four shall be for replacement only, including not to exceed two buses; \$6,272,511,000, to remain available until expended: Provided, That \$87,000,000 is authorized to be appropriated for Project 01-D-108, Microsystems and engineering sciences applications (MESA), Sandia National Laboratories, Albuquerque, New Mexico: Provided further, That \$3,564,000 is authorized to be appropriated for Project 04-D-103, Project engineering and design (PED), various locations: Provided further, That a plant or construction project for which amounts are

made available under this heading in this fiscal year with a current estimated cost of less than \$10,000,000 is considered for purposes of section 3622 of Public Law 107-314 as a plant project for which the approved total estimated cost does not exceed the minor construction threshold and for purposes of section 3623 of Public Law 107-314 as a construction project with a current estimated cost of less than the minor construction threshold.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,327,612,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, and the purchase of not to exceed one bus; \$766,400,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, including official reception and representation expenses (not to exceed \$12,000), \$339,980,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE SITE ACCELERATION COMPLETION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense site acceleration completion activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; \$5,651,062,000, to remain available until expended: Provided, That the Secretary of Energy is directed to use \$1,000,000 of the funds provided for regulatory and technical assistance to the State of New Mexico, to amend the existing WIPP Hazardous Waste Permit to comply with the provisions of section 310 of this Act.

DEFENSE ENVIRONMENTAL SERVICES

For Department of Energy expenses necessary for defense-related environmental services activities that indirectly support the accelerated cleanup and closure mission at environmental management sites, including the purchase, construction, and acquisition of plant and capital equipment and other necessary expenses, and the purchase of not to exceed one ambulance for replacement only, \$991,144,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$674,491,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as

amended, including the acquisition of real property or facility construction or expansion, \$390,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for official reception and representation expenses in an amount not to exceed \$1,500. During fiscal year 2004, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, \$5,100,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, up to \$19,000,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, \$28,600,000, to remain available until expended: Provided, That, notwithstanding the provisions of 31 U.S.C. 3302, up to \$1,512,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures; in addition, notwithstanding 31 U.S.C. 3302, beginning in fiscal year 2004 and thereafter, such funds as are received by the Southwestern Power Administration from any State, municipality, corporation, association, firm, district, or individual as advance payment for work that is associated with Southwestern's transmission facilities, consistent with that authorized in section 5 of the Flood Control Act, shall be credited to this account and be available until expended.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed \$1,500, \$177,950,000, to remain available until expended, of which \$167,236,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That of the amount herein appropriated, \$6,200,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That notwithstanding the provision of 31 U.S.C. 3302, up to \$162,108,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses

shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That the \$750,000 that is made available under this heading for a transmission study on the placement of 500 megawatt wind energy in North Dakota and South Dakota may be non-reimbursable: Provided further, That, in accordance with section 203 of the Colorado River Basin Salinity Control Act (43 U.S.C. 1593), electrical power supply and delivery assistance may be provided to the local distribution utility as required to maintain proper voltage levels at the Big Sandy River Diffuse Source Control Unit.

FALCON AND AMISTAD OPERATING AND
MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, \$2,640,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed \$3,000), \$204,400,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed \$204,400,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2004 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2004 so as to result in a final fiscal year 2004 appropriation from the general fund estimated at not more than \$0.

DEFENSE ENVIRONMENTAL MANAGEMENT

PRIVATIZATION

(RESCISSION)

Of the funds appropriated in prior Energy and Water Development Appropriation Acts, \$15,329,000 of unexpended balances of prior appropriations are rescinded: Provided, That \$13,329,000 shall be derived from the Paducah Disposal Facility Privatization (OR-574) and \$2,000,000 shall be derived from the Portsmouth Disposal Facility Privatization (OR-674).

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a)(1) None of the funds in this or any other appropriations Act for fiscal year 2004 or any previous fiscal year may be used to make payments for a noncompetitive management and operating contract unless the Secretary of Energy, not later than 60 days after the date of the enactment of this Act, publishes in the Federal Register and submits to the Committees on Appropriations of the House of Representatives and the Senate a written notification, with respect to each such contract, of the Secretary's decision to use competitive procedures for the award of the contract, or to not renew the contract, when the term of the contract expires.

(2) Notwithstanding paragraph (1), the Secretary of Energy may use appropriated funds to maintain operations of noncompetitive management and operating contracts as necessary during the 60-day period beginning on the date of the enactment of this Act.

(3) Paragraph (1) does not apply to an extension for up to 2 years of a noncompetitive management and operating contract, if the extension is for purposes of allowing time to award com-

petitively a new contract, to provide continuity of service between contracts, or to complete a contract that will not be renewed.

(b) In this section:

(1) The term "noncompetitive management and operating contract" means a contract that was awarded more than 50 years ago without competition for the management and operation of Ames Laboratory, Argonne National Laboratory, Lawrence Berkeley National Laboratory, Lawrence Livermore National Laboratory, and Los Alamos National Laboratory.

(2) The term "competitive procedures" has the meaning provided in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403) and includes procedures described in section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253) other than a procedure that solicits a proposal from only one source.

SEC. 302. None of the funds appropriated by this Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy, under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 42 U.S.C. 7274h).

SEC. 303. None of the funds appropriated by this Act may be used to augment the \$13,400,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request subject to approval by the appropriate congressional committees.

SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 305. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 306. None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

SEC. 307. When the Department of Energy makes a user facility available to universities and other potential users, or seeks input from universities and other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users. When the Department of Energy considers the participation of a university or other potential user as a formal partner in the establishment or operation of a user facility, the Department shall employ full and open competition in selecting such a partner. For purposes of this section, the term "user facility" includes, but is not limited to: (1) a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2)); (2) a National Nuclear Security Administration Defense Programs Technology Deployment Center/User Facility; and (3) any other Departmental facility designated by the Department as a user facility.

SEC. 308. The Administrator of the National Nuclear Security Administration may authorize the manager of a covered nuclear weapons research, development, testing or production facility to engage in research, development, and demonstration activities with respect to the engineering and manufacturing capabilities at such facility in order to maintain and enhance such capabilities at such facility: Provided, That of the amount allocated to a covered nuclear weapons facility each fiscal year from amounts available to the Department of Energy for such fiscal year for national security programs, not more than an amount equal to 2 percent of such amount may be used for these activities: Provided further, That for purposes of this section, the term "covered nuclear weapons facility" means the following:

(1) the Kansas City Plant, Kansas City, Missouri;

(2) the Y-12 Plant, Oak Ridge, Tennessee;

(3) the Pantex Plant, Amarillo, Texas;

(4) the Savannah River Plant, South Carolina; and

(5) the Nevada Test Site.

SEC. 309. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2004 until the enactment of the Intelligence Authorization Act for fiscal year 2004.

SEC. 310. None of the funds in this Act may be used to dispose of transuranic waste in the Waste Isolation Pilot Plant which contains concentrations of plutonium in excess of 20 percent by weight for the aggregate of any material category on the date of enactment of this Act, or is generated after such date. For the purposes of this section, the material categories of transuranic waste at the Rocky Flats Environmental Technology Site include: (1) ash residues; (2) salt residues; (3) wet residues; (4) direct repackaging residues; and (5) scrub alloy as referenced in the "Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site".

SEC. 311. (a) The Secretary of Energy is directed to file a permit modification to the Waste Analysis Plan (WAP) and associated provisions contained in the Hazardous Waste Facility Permit for the Waste Isolation Pilot Plant (WIPP). For purposes of determining compliance of the modifications to the WAP with the hazardous waste analysis requirements of the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), or other applicable laws waste confirmation for all waste received for storage and disposal shall be limited to: (1) confirmation that the waste contains no ignitable, corrosive, or reactive waste through the use of either radiography or visual examination of a statistically representative subpopulation of the waste; and (2) review of the Waste Stream Profile Form to verify that the waste contains no ignitable, corrosive, or reactive waste and that assigned Environmental Protection Agency hazardous waste numbers are allowed for storage and disposal by the WIPP Hazardous Waste Facility Permit.

(b) Compliance with the disposal room performance standards of the WAP shall be demonstrated exclusively by monitoring airborne volatile organic compounds in underground disposal rooms in which waste has been emplaced until panel closure.

SEC. 312. Notwithstanding any other provision of law, the material in the concrete silos at the Fernald uranium processing facility currently managed by the Department of Energy and the ore processing residual materials in the Niagara Falls Storage Site subsurface waste containment structure managed by the United States Army Corps of Engineers under the Formerly Utilized Sites Remedial Action Program shall be considered "byproduct material" as defined by section 11e.(2) of the Atomic Energy Act of 1954, as

amended (42 U.S.C. 2014(e)(2)). The Nuclear Regulatory Commission or an Agreement State, as appropriate, shall regulate the material as "11e.(2) by-product material" for the purpose of disposition of the material in an NRC-regulated or Agreement State-regulated facility.

SEC. 313. No funds appropriated or otherwise made available under this title under the heading "ATOMIC ENERGY DEFENSE ACTIVITIES" may be obligated or expended for additional and exploratory studies under the Advanced Concepts Initiative until 30 days after the date on which the Administrator for Nuclear Security submits to Congress a detailed report on the planned activities for additional and exploratory studies under the initiative for fiscal year 2004. The report shall be submitted in unclassified form, but may include a classified annex.

SEC. 314. MARTIN'S COVE LEASE. (a) DEFINITIONS.—In this section:

(1) BUREAU OF LAND MANAGEMENT.—The term "Bureau of Land Management", hereafter referred to as the "BLM", means an agency of the Department of the Interior.

(2) CORPORATION.—The term "Corporation" means the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, located at 50 East North Temple Street, Salt Lake City, Utah.

(3) MARTIN'S COVE.—The term "Martin's Cove" means the area, consisting of approximately 940 acres of public lands in Natrona County, Wyoming as depicted on the Martin's Cove map numbered MC-001.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(b) LEASE.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the Corporation to lease, for a term of 25 years, approximately 940 acres of Federal land depicted on the Martin's Cove map MC-001. The Corporation shall retain the right of ingress and egress in, from and to any part of the leasehold for its use and management as an important historical site.

(2) TERMS AND CONDITIONS.—

(A) SURVEY.—As a condition of the agreement under paragraph (1), the Corporation shall provide a boundary survey to the Secretary, acceptable to the Corporation and the Secretary, of the parcels of land to be leased under paragraph (1).

(B) ACCESS.—

(1) IN GENERAL.—The Secretary and the Corporation shall enter into a lease covenant, binding on any successor or assignee that ensures that, consistent with the historic purposes of the site, public access will be provided across private land owned by the Corporation to Martin's Cove and Devil's Gate. Access shall—

(I) ensure public visitation for historic, educational and scenic purposes through private lands owned by the Corporation to Martin's Cove and Devil's Gate;

(II) provide for public education, ecologic and preservation at the Martin's Cove site;

(III) be provided to the public without charge; and

(IV) permit the Corporation, in consultation with the BLM, to regulate entry as may be required to protect the environmental and historic values of the resource at Martin's Cove or at such times as necessitated by weather conditions, matters of public safety and nighttime hours.

(C) IMPROVEMENTS.—The Corporation may, upon approval of the BLM, improve the leasehold as may become necessary from time to time in order to accommodate visitors to the leasehold.

(D) ARCHAEOLOGICAL PRESERVATION.—The Corporation shall have the obligation to protect and maintain any historical or archaeological artifacts discovered or otherwise identified at Martin's Cove.

(E) VISITATION GUIDELINES.—The Corporation may establish, in consultation with the BLM,

visitation guidelines with respect to such issues as firearms, alcoholic beverages, and controlled substances and conduct consistent with the historic nature of the resource, and to protect public health and safety.

(F) NO ABRIDGEMENT.—The lease shall not be subject to abridgement, modification, termination, or other taking in the event any surrounding area is subsequently designated as a wilderness or other protected areas. The lease shall contain a provision limiting the ability of the Secretary from administratively placing Martin's Cove in a restricted land management status such as a Wilderness Study Area.

(G) RIGHT OF FIRST REFUSAL.—The Corporation shall be granted a right of first refusal to lease or otherwise manage Martin's Cove in the event the Secretary proposes to lease or transfer control or title of the land to another party.

(H) FAIR MARKET VALUE LEASE PAYMENTS.—The Corporation shall make lease payments which reflect the fair market rental value of the public lands to be leased, provided however, such lease payments shall be offset by value of the public easements granted by the Corporation to the Secretary across private lands owned by the Corporation for access to Martin's Cove and Devil's Gate.

(I) RENEWAL.—The Secretary may offer to renew such lease on terms which are mutually acceptable to the parties.

(c) MINERAL WITHDRAWAL.—The Secretary shall retain the subsurface mineral estate under the 940 acres under the leasehold. The 940 acres described in subsection (a)(3) are hereby withdrawn from mining location and from all forms of entry, appropriation, and disposal under the public land laws.

(d) NO PRECEDENT SET.—This Act does not set a precedent for the terms and conditions of leases between or among private entities and the United States.

(e) VALID AND EXISTING RIGHTS.—The Lease provided for under this section shall be subject to valid existing rights with respect to any lease, right-of-way, permit, or other valid existing rights to which the property is subject.

(f) AVAILABILITY OF MAP.—The Secretary shall keep the map identified in this section on file and available for public inspection in the Casper District Office of the BLM in Wyoming and the State Office of the BLM, Cheyenne, Wyoming.

(g) NEPA COMPLIANCE.—The Secretary shall comply with the provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in carrying out this section.

SEC. 315. REINSTATEMENT AND TRANSFER OF THE FEDERAL LICENSE FOR PROJECT NO. 2696.

(a) DEFINITIONS.—

(1) COMMISSION.—The term "Commission" means the Federal Energy Regulatory Commission.

(2) TOWN.—The term "town" means the town of Stuyvesant, New York, the holder of Federal Energy Regulatory Commission Preliminary Permit No. 11787.

(b) REINSTATEMENT AND TRANSFER.—Notwithstanding section 8 of the Federal Power Act (16 U.S.C. 801) or any other provision of that Act, the Commission shall, not later than 30 days after the date of enactment of this Act—

(1) reinstate the license for Project No. 2696; and

(2) transfer the license to the town.

(c) HYDROELECTRIC INCENTIVES.—Project No. 2696 shall be entitled to the full benefit of any Federal law that—

(1) promotes hydroelectric development; and

(2) that is enacted within 2 years before or after the date of enactment of this Act.

(d) CO-LICENSEE.—Notwithstanding the issuance of a preliminary permit to the town and any consideration of municipal preference, the town may at any time add as a co-licensee to the reinstated license a private or public entity.

(e) PROJECT FINANCING.—The town may receive loans under sections 402 and 403 of the

Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2702, 2703) or similar programs for the reimbursement of the costs of any feasibility studies and project costs incurred during the period beginning on January 1, 2001 and ending on December 31, 2006.

(f) ENERGY CREDITS.—Any power produced by the project shall be deemed to be incremental hydropower for purposes of qualifying for energy credits or similar benefits.

SEC. 316. Of the funds made available in this Act for Defense Environmental Services, \$1,000,000 shall be provided to the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended: Provided, That \$4,000,000 shall be provided to affected units of local governments, as defined in Public Law 97-425, to conduct appropriate activities pursuant to the Act: Provided further, That the distribution of the funds as determined by the units of local government shall be approved by the Department of Energy: Provided further, That the funds for the State of Nevada shall be made available solely to the Nevada Division of Emergency Management by direct payment and units of local government by direct payment: Provided further, That within 90 days of the completion of each Federal fiscal year, the Nevada Division of Emergency Management and the Governor of the State of Nevada and each local entity shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by Public Law 97-425 and this Act. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That all proceeds and recoveries realized by the Secretary in carrying out activities authorized by the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$66,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, \$19,559,000, to remain available until expended.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, as amended, notwithstanding sections 382C(b)(2), 382F(d), and 382M(b) of said Act, \$5,000,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction and acquisition of plant and capital equipment as necessary and other expenses, \$55,000,000, to remain available until expended: Provided, That \$5,500,000 shall not be available until the Denali Commission submits to the House and Senate Committees on Appropriations a detailed budget justification for fiscal year 2005.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed \$15,000), and purchase of promotional items for use in the recruitment of individuals for employment, \$618,800,000, to remain available until expended: Provided, That of the amount appropriated herein, \$33,100,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at \$538,844,000 in fiscal year 2004 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2004 so as to result in a final fiscal year 2004 appropriation estimated at not more than \$79,956,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$7,300,000, to remain available until expended: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at \$6,716,000 in fiscal year 2004 shall be retained and be available until expended, for necessary salaries and expenses in this account notwithstanding 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2004 so as to result in a final fiscal year 2004 appropriation estimated at not more than \$584,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100-203, section 5051, \$3,177,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with

the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 503. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 504. CLARIFICATION OF INDEMNIFICATION TO PROMOTE ECONOMIC DEVELOPMENT. (a) Subsection (b)(2) of section 3158 of the National Defense Authorization Act for Fiscal Year 1998 (42 U.S.C. 7274q(b)(2)) is amended by adding the following after subparagraph (C):

"(D) Any successor, assignee, transferee, lender, or lessee of a person or entity described in subparagraphs (A) through (C)."

(b) The amendment made by section 506, as amended by this section, is effective as of the date of enactment of the National Defense Authorization Act for Fiscal Year 1998.

This Act may be cited as the "Energy and Water Development Appropriations Act, 2004".

And the Senate agree to the same.

DAVID L. HOBSON,
RODNEY P.

FRELINGHUYSEN,
TOM LATHAM,
ZACH WAMP,
JO ANN EMERSON,
JOHN T. DOOLITTLE,
JOHN E. PETERSON,
MICHAEL K. SIMPSON,
BILL YOUNG,
PETER J. VISCLOSKEY,
CHET EDWARDS,
ED PASTOR,
JAMES E. CLYBURN,
MARION BERRY,
DAVID R. OBEY,

Managers on the Part of the House.

PETE V. DOMENICI,
THAD COCHRAN,
MITCH MCCONNELL,
ROBERT F. BENNETT,
CONRAD BURNS,
LARRY E. CRAIG,
CHRISTOPHER BOND,
TED STEVENS,
HARRY REID,
ROBERT C. BYRD,
FRITZ HOLLINGS,
PATTY MURRAY,
BYRON L. DORGAN,
DIANNE FEINSTEIN,
DANIEL K. INOUE,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2754) making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the action agreed upon by the managers and recommended in the accompanying conference report.

The language and allocations set forth in House Report 108-212 and Senate Report 108-105 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not contradicted by the report of the Senate or the conference, and Senate report language which is not contra-

dicted by the report of the House or the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where both the House report and Senate report address a particular issue not specifically addressed in the conference report or joint statement of managers, the conferees have determined that the House report and Senate report are not inconsistent and are to be interpreted accordingly. In cases in which the House or Senate have directed the submission of a report, such report is to be submitted to both House and Senate Committees on Appropriations.

Senate amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Corps of Engineers. Additional items of the conference agreement are discussed below.

The conferees remain concerned about the inadequate budget requests for water resources programs of the U.S. Army Corps of Engineers. The budget request for fiscal year 2004 is about \$450,000,000 less than the amount appropriated to the Corps in fiscal year 2003. If the proposed budget request were enacted, the Corps would be forced to terminate ongoing construction contracts costing the government some \$200,000,000 in termination fees, demobilization costs, and delays in project schedules.

Over the years, the conferees have granted the Corps of Engineers great latitude to reprogram funds from studies, construction projects, and maintenance activities which are either delayed or are being terminated to those where the funds can be effectively used to keep projects moving and accelerate completion. The conferees believe that the ability to reprogram funds is essential to the Corps' ability to effectively manage its program. Accordingly, the conferees were very concerned to learn that the Corps of Engineers has not been reprogramming funds from a number of projects that are obviously not moving forward. It has been and continues to be the intent of the conferees that when any project is not moving forward, the Corps of Engineers look to reprogram the funds appropriated for that project to one where the funds can be effectively utilized unless explicitly instructed not to do so by the Committees on Appropriations.

The conferees are aware that the Corps of Engineers may choose not to reprogram funds out of some inactive or slow-moving projects because of the reluctance of the member who requested funding to see it moved. The conferees expect that funds moved out of any authorized project would be restored to that project once obstacles to its progress had been resolved, and urge that the Corps should not let these objections stand in the way of using scarce funding where it is most needed. In order to better assess this "hoarding" problem, the conferees direct the Corps of Engineers to submit to the Committees on Appropriations of the House and the Senate, by May 1st of 2004, a report as to the "carried over" funds on hand at the beginning of fiscal 2004, by project, and the details of all reprogramming actions from carried over funds in the first six months of fiscal 2004.

The conferees are aware that the Corps of Engineers has exercised its existing authorities to take advantage of a good construction season and as a result, has been executing its construction program at an increased rate using funds available from under-performing projects. Though the conferees understand that the Federal government yields benefits and cost savings when a project is completed ahead of schedule, the conferees are very concerned about the Corps responding to contractor demands for higher execution rates at the expense of those projects that the Congress has determined reflect the Nation's priorities. Therefore, the conferees direct the Corps, within 90 days of enactment of this Act, to submit a report that outlines the Corps' processes and procedures for determining and evaluating which projects are under-performing and how the resulting unobligated funds are transferred to a project which is executing at a rate higher than anticipated. The conferees note as well, that some projects have fared very well when contractors are able to accelerate work; in fiscal years 2002 and 2003, some \$30,000,000 was reprogrammed into just one such project from others. The Corps of Engineers has explained that this reprogramming results from their policy of allowing contractors to choose their own pace for work on continuing contracts, with the option to work on deferred payment terms, and sometimes to collect interest, when money appropriated for a given fiscal year is exhausted. The conferees admonish the Corps to curtail this practice, which amounts to allowing contractors to make many of its most crucial fiscal management decisions, and to include in the report required above the status of continuing construction contracts.

The conferees are also concerned that Corps of Engineers' technical and planning capabilities have diminished over the past decade. This diminished capability has been evident in recent controversial studies such as the Upper Mississippi River and Illinois Waterway System Navigation Study and the Delaware River Deepening Study. The conferees urge the Corps of Engineers to review ways in which it can improve this capability, to include concentrating its technical and planning expertise in regional centers. The conferees believe that there is much the Corps can do to leverage its highly skilled workforce in an effort to better utilize their expertise on a national level. With constrained budgets and ever-changing technology, the current work environment lends itself well to the movement of knowledge and information across great distances in a matter of minutes. Therefore, the conferees remain committed to the concept of the regional centers because they will enable the Corps to maximize its expertise across the country over a wide variety of projects and problems just by tapping its own resources. Though many problems are regionalized, many of their solutions are not. With the implementation of regional centers the Corps will be able to manage the agency's workload across the Nation rather than just in a district or division.

GENERAL INVESTIGATIONS

The conference agreement appropriates \$116,949,000 for General Investigations instead of \$117,788,000 as proposed by the House and \$131,700,000 as proposed by the Senate.

The conference agreement provides \$150,000 for the completion of an environmental assessment on the Tonto Creek in Tonto Basin element of the Gila River and Tributaries, Arizona, project.

Funds for the American River Watershed (Folsom Dam Mini-Raise), California, project are included in the Construction, General account.

The conferees have provided \$100,000 for the Corps of Engineers to continue investigations of environmental infrastructure issues for the City of Norwalk, California.

The conferees have provided \$1,100,000 for the Sacramento-San Joaquin Delta, California, study including \$350,000 for a reconnaissance study to evaluate environmental restoration, flood protection, recreation, and related purposes for the California Bay-Delta Authority North Delta Improvements project, and \$500,000 to initiate and complete a reconnaissance study to prioritize and evaluate environmental restoration, flood protection and related purposes for the Delta Islands and Levees. The remaining funding is provided for the Delta Special Study.

The conference agreement provides \$1,500,000 for the Sacramento-San Joaquin River Basins Comprehensive Study in California, including funds to initiate and complete three \$100,000 reconnaissance studies to evaluate environmental restoration, flood protection, and related purposes for the Lower San Joaquin River, USACE Reservoir Re-Operation, and Butte Basin, and \$500,000 to initiate a feasibility study for the Mokelumne River, Calaveras River, and Stanislaus River Watersheds in Calaveras County.

The conferees urge the Secretary of the Army to continue planning and preconstruction engineering and design efforts on the Sacramento-San Joaquin River Basins Comprehensive Study-Hamilton City Flood Damage Reduction and Ecosystem Restoration Initial Project and to include in the study an area extending from 2 miles due north to 4 miles due south of State Highway 32, and extending at least 1.2 miles due south of Road 23. The study should incorporate locally preferred options that provide protection to agricultural lands on the southern end of the study area, as well as residential properties in Hamilton City, while providing opportunities for ecosystem restoration. In addition, the conferees support the efforts of the non-Federal sponsors to receive credit toward the non-Federal cost share for work, including ecosystem restoration work, determined by the Corps to be integral to the project, that is carried out by non-Federal sponsors or their partners after the completion of the final report—even if such work is carried out prior to the date of the project cost share agreement.

The conferees direct the Secretary of the Army to conduct a feasibility study with respect to shoreline stabilization of Egmont Key, Florida, which is threatened by erosion. The conferees further direct that the study shall be completed at full Federal expense, notwithstanding the conclusions of the initial reconnaissance report.

The conferees direct that the Secretary use any remaining funds heretofore appropriated and made available in Public Law 106-316, for construction of the Savannah Harbor Deepening Project, Savannah, Georgia, for the Savannah Harbor Expansion Project, Savannah, Georgia.

The conferees have moved funding previously provided by the House under General Investigations for riverfront restoration project at Fort Dodge, Iowa, to Construction, General under the already existing Des Moines Recreation River and Greenbelt authority. The conferees understand that moving the funds to Construction, General under the Greenbelt authorization, will allow the Corps of Engineers to continue to work at Fort Dodge with greater flexibility and speed.

The conferees have removed funding previously proposed under General Investigations for Turkey Creek Basin, Kansas and Missouri, and provided \$500,000 for this project under Construction, General.

The conferees have provided additional funding above the Administration's request for the Upper Mississippi and Illinois Navigation Study with the intent that the Corps of Engineers diligently work to complete this critical study.

The conferees have included \$2,500,000 for the Louisiana Coastal Area Ecosystem Restoration study to allow for initiation of project implementation reports. The conferees remain very concerned about the progress of this study and that the Corps may not be maintaining the rigor required for such a study. Therefore, the conferees direct the Corps to provide a report no later than 60 days after the enactment of this Act, on the study's progress and how it plans to refocus this critical effort.

The conference agreement includes \$200,000 to initiate one or more of a number of feasibility studies identified in the reconnaissance phase of the Middle Potomac Watershed study, Maryland and Virginia. It is the intent of the conferees that the Holmes Run watershed in Virginia continues to be within the scope of this study. In addition, the conference agreement includes, within available funds, \$100,000 for the Corps of Engineers to identify flood mitigation measures to protect the City of Alexandria, Virginia from future storm surges and flooding.

The conferees have provided \$800,000 to initiate the feasibility phase of the Eastern Shore—Mid Chesapeake Bay Island, Maryland project, which will focus on the use of dredged material to restore and expand the habitat of a variety of animal life. It is the intent of the conferees that this funding be used for the identification and study of existing islands in need of restoration, and not artificial islands.

In order to optimize needed coordination with highway work being performed by the State of Nebraska, the conferees direct the Secretary of the Army to work closely with the local sponsor on the Sand Creek Environmental Restoration, Nebraska project, accepting advance funds offered by the sponsor, and agreeing to credits and reimbursements, as appropriate, for work done by the sponsor, including work performed in connection with the design and construction of seven upstream detention storage structures.

The conference agreement includes \$350,000 for the Lower Las Vegas Wash Wetlands, Nevada, project and \$150,000 for Technical Assistance for Tahoe Regional Planning, Nevada.

The conferees understand that there exists some confusion regarding the Passaic River, New Jersey, Environmental Restoration study and the Hudson Raritan Estuary-Lower Passaic River, New Jersey, study. The Passaic River, New Jersey Environmental Restoration study, in the past, has been referred to as the Lower Passaic, New Jersey study and use of this latter reference should be discontinued. The conferees further note that the Passaic River, New Jersey, Environmental Restoration study is a separate and distinct effort from the ongoing Hudson Raritan Estuary-Lower Passaic River, New Jersey, study.

The conferees have included \$500,000 for the preconstruction, engineering, and design for the Upper Passaic River and Tributaries, New Jersey project and moved this project from General Investigations to Section 205 of the Continuing Authorities Program under Construction, General.

The conference agreement includes language, proposed by the House, regarding credits for the sponsors of the Ohio Riverfront, Cincinnati, Ohio, project.

The conferees expect the Secretary of the Army to review the Corps of Engineers report on the Nueces River, Texas published as House Document 235, Sixty-third Congress,

1st Session and other pertinent reports, to determine the feasibility of measures for improvements to address water resources needs of Texas within the Nueces River basin in the interest of comprehensive watershed and stream corridor management, including flood damage reduction, ecosystem restoration and protection, water conservation and supply, water quality, aquifer recharge, and other allied purposes. The review should coordinate and integrate ongoing study efforts within the basin.

The conference agreement deletes language, proposed by the Senate regarding the Park City Water Supply Infrastructure, Utah, project. Funding for this work is included in the amount appropriated for the Bureau of Reclamation under the Water and Related Resources account.

In light of the damage done to the area by Hurricane Isabel, the conferees have included \$100,000 to continue preconstruction engineering and design for the Vicinity of Willoughby Spit, Norfolk, Virginia, project.

The conference agreement does not include funds in this account for the Duwamish and Green River, Washington, project. Funds for this project are included in the Construction, General account.

The conference agreement includes \$7,500,000 for the Flood Plain Management Services Program. Within the funds provided, the conferees expect the Corps of Engineers to undertake the activities described in the House and Senate Reports, including \$500,000 to advance development of the geographic information system for flood plain management in East Baton Rouge, Louisiana.

The conferees have included \$400,000 within available funds under the Other Coordination Programs for the Corps of Engineers to provide programmatic support to Lake Tahoe restoration activities, including coordination with the Federal Interagency Partnership and the Tahoe Regional Planning Agency, to implement the Environmental Improvement Program.

The conference agreement includes \$6,500,000 for the Planning Assistance to States Program. Within the funds provided for this program, the conferees expect the Corps of Engineers to undertake the activities described in the House and Senate Reports including providing assistance to Salcha, Alaska as outlined in the Senate Report. The conferees have also included \$100,000 for the Corps of Engineers to prepare the Arkansas River Corridor Plan in Oklahoma; and \$200,000 for Georgetown and Williamsburg Counties, South Carolina.

The conferees include \$100,000 to continue the feasibility phase of the Tujunga Wash environmental restoration project in Studio City, California. In addition, the conferees provide \$200,000 for the Corps to advance the Tujunga Wash, California, ecosystem restoration project under the Section 1135 Continuing Authorities Program in the Construction, General account. Additionally, the Corps is expected to complete the feasibility phase of the Long Lake, Indiana, project with funding from the Section 206, Continuing Authorities Program in the Construction, General account.

The conferees have not provided funding requested by the Administration for the Ex Post Facto National Study or the Independent Review National Study. The conferees understand that studies of this sort are among the concerns of the authorizing committees and are under discussion. The Corps should not undertake such studies with any funds made available until the authorizers have made clear their policies and intentions in future law.

Within the funds provided for the Corps of Engineers Research and Development Pro-

gram, \$1,000,000 is provided for innovative technology demonstrations for urban flooding and channel restoration. These demonstrations shall be conducted in close coordination and cooperation with the Urban Water Research Program of the Desert Research Institute of Nevada. The conferees encourage the Corps of Engineers to continue its work in the area of Submerged Aquatic Vegetation or "seagrasses" and restoration efforts in the Chesapeake Bay, Maryland.

The conferees are also aware of the potential benefits of incorporating modular plastic belting technology into fish screen devices. Accordingly, the conferees ask the Corps of Engineers to consider evaluating the technology's operational and cost benefits and to consider its deployment if the Corps determines that the technology is environmentally and scientifically sound, feasible and effective.

Language, provided by the Senate, has been included in the bill regarding the Southwest Valley Flood Damage Reduction study in New Mexico, the Waikiki Beach, Hawaii, project and the Kihei Beach, Hawaii, project.

CONSTRUCTION, GENERAL

The conference agreement appropriates \$1,722,319,000 for Construction, General instead of \$1,642,911,000 as proposed by the House and \$1,538,000,000 as proposed by the Senate.

The conferees recognize the urgent need to remove and remediate contaminated soils from the uplands adjacent to the Salt Lagoon and its outfall channel at St. Paul Island, Alaska. The conferees further recognize that the Corps of Engineers has an ongoing project to dredge and excavate sediments from the nearby St. Paul Harbor and to reestablish, by excavation, the traditional flow channel between the harbor and the Salt Lagoon. Given the extremely high cost of mobilizing equipment to St. Paul Island and the Corps of Engineers' expertise in remediating contaminated materials, the conferees direct and authorize the Secretary of the Army to enter into an agreement with the Secretary of Transportation to supplement this ongoing construction project, and to remove and remediate the contaminated materials to an approved disposal site. Funding for the remediation of the contaminated material is to come from funds provided to the National Oceanic and Atmospheric Administration (NOAA) for this purpose.

The conference agreement does not include funding in the Construction, General account for the Dam Site Park at Greers Ferry Lake, Arkansas. The conferees have provided \$8,391,000 for Greers Ferry Lake, Arkansas, including \$2,000,000 for the modernization of the Dam Site Park recreation facilities under Operations and Maintenance, General.

Within funds provided for the American River Watershed (Folsom Dam Mini-Raise), California, project, \$600,000 shall be provided to the Folsom Dam replacement road and bridge.

The conference agreement for Oakland Harbor, California, includes \$20,000,000 for this critical project. The conferees regret that they cannot provide optimum funding efforts, which are hampered because the Administration only requested \$7,000,000 for this project. Given that this project is already under construction, the conferees encourage the Administration to include realistic project funding in future budget submissions.

The conference agreement includes \$7,300,000 to complete Federal funding for all aspects of the Petaluma River, California, flood control project. The Corps of Engineers and the sponsors are urged to proceed expeditiously so that the project can be finished

with funds made available and the full benefits of this project are not further delayed.

The conference recommendation includes \$15,000,000 for the Port of Los Angeles, California, project. Despite the fact this project is already under construction, the Administration did not propose any funding for this project. The conferees expect the Administration to budget for a project of this scope more responsibly in the future.

The conference agreement provides \$22,500,000 for continued construction of the Santa Ana River Mainstem, California, project, including \$7,000,000 for the acceleration of work on the San Timoteo Creek element.

The conferees have provided \$500,000 for continuation of a feasibility study of perchlorate contamination in the City of Santa Clarita, California.

The conference agreement includes \$500,000 to initiate construction on the Delaware Bay Coastline, Bethany Beach to South Bethany Beach, Delaware project.

The conference agreement includes \$500,000 for the Florida Keys Water Quality Improvements project, which was not included in the Administration's budget request. The conferees ask that the Administration give consideration to including this critical work in future funding requests, and to the possibility of including it in the larger Everglades Restoration effort.

The conference agreement includes additional language, proposed by the House, concerning availability of funds appropriated for the Florida Everglades and for the New York and New Jersey Harbors, New York, and New Jersey.

The conferees have provided \$300,000 for the Martin County, Florida, project.

The conferees have provided an additional \$4,350,000 for wildlife mitigation at the Richard B. Russell Dam and Lake, Georgia and South Carolina. These funds, combined with funds provided in Fiscal Year 2003, satisfy the Federal obligation for the lump sum payment to the State of South Carolina required by Section 348(k) of the Water Resources Development Act of 2000.

The conference agreement includes \$4,450,000 for environmental infrastructure projects as authorized in Section 595 of the Water Resources Development Act, as amended, in Rural Idaho. Funds are to be used for the following Idaho projects: City of Burley, Coolin Sewer District, City of Horseshoe Bend, Upper St. Joe Distribution Line, Blackfoot Water Diversion, Spirit Lake Restoration, Emmett Wastewater, McCammon Wastewater, and the Middleton Water and Sewer Authority.

The conferees note that in addition to the Construction, General funding provided for the Chicago Sanitary and Ship Canal, Illinois, \$750,000 is also provided in the Section 1135 Continuing Authorities Program to continue the work on a second barrier.

The conferees have provided \$100,000 to initiate construction of the Little Grassy Pump feature of the Wood River Drainage and Levee District project in Illinois.

The conference agreement includes \$500,000 for Northeastern Minnesota, Minnesota.

The conference agreement deletes funding in this account proposed for the Table Rock Lake, Missouri facility, modernization project. The conferees have provided \$9,000,000 for Table Rock Lake, Missouri, under Operations and Maintenance, General, including \$3,500,000 for the modernization of day use, boat launch, and other recreation facilities at its Campbell Point, Cape Fair, Indian Point and Baxter parks, and for other maintenance items.

The conferees have included \$3,000,000 for rural Montana projects. Within the funds provided, the Corps of Engineers is directed

to give consideration to projects at Conrad, Laurel, Belgrade, Drummond, Wisdom, Melston, Manhattan and Grant Creek. Other communities that meet the program criteria should be considered as funding allows.

The conferees have included \$9,000,000 for Rural Nevada projects. Within the funds provided, the Corps of Engineers is directed to give consideration to projects at Boulder City, Mesquite, Tonopah, Lyon County (Carson River Regional Water System), Gerlach, Incline Village, Lawton-Verdi, Esmeralda County, Churchill County, West Wendover and Searchlight. Other communities that meet the program criteria should be considered as funding allows.

The conferees have provided \$1,000,000 for the Corps of Engineers to initiate construction of the Barnegat Inlet to Little Egg Harbor Inlet, New Jersey, beach erosion control project.

The conference agreement includes \$500,000 for the Delaware Bay Coastline, Villas and Vicinity, New Jersey, project.

The conferees have provided \$9,000,000 for the Delaware Main Channel, New Jersey, Delaware, and Pennsylvania, project, which continues to undergo a rigorous cost-benefit reanalysis and verification by independent reviewers. The Corps of Engineers is to be commended for this effort. The conferees are aware that the production of a complete justification may consume several additional months and urge that these funds be temporarily re-programmed to other high-priority work if they are not required for the deepening effort in fiscal year 2004.

The conference recommendation includes \$5,000,000 for the Central New Mexico, project; \$4,000,000 for completion of the construction work on the Double Eagle II Infrastructure Upgrade, the Bosque Farms Plant, the Tijeras Water System upgrade and the Bernalillo plant; and, \$1,000,000 for the Black Mesa Area Flood Management project.

The Secretary of the Army is urged to utilize up to \$2,000,000 annually of the funds provided from the New York and New Jersey Harbor, New York and New Jersey project from the Construction, General appropriations through fiscal year 2008, to plan for and enter into an agreement with a state or non-Federal sponsor to develop a dredged material processing facility that would accomplish the objectives of reducing the cost of dredged material management in the port and preparing dredged material for beneficial uses, and to implement a project utilizing innovative dredged material management technologies.

The conferees agree that the Secretary of the Army may use any remaining available funds from funds appropriated in Public Law 101-101 for the Hamlet City Lake, North Carolina project, to provide assistance in carrying out any authorized water-related infrastructure projects in Richmond County, North Carolina.

The conference agreement includes \$350,000 for the Stanly County Wastewater Infrastructure project in North Carolina.

The conferees have provided \$3,900,000 for the Mill Creek, Ohio, Flood Control project and have included language in the bill which direct the Secretary of the Army to complete the General Reevaluation Report within 15 months of this legislation at 100 percent Federal cost. The General Reevaluation Report shall provide plans for flood damage reduction throughout the basin equivalent to and commensurate with that afforded by the authorized, partially implemented Mill Creek, Ohio, Flood Damage Reduction Project, as authorized in Section 201 of the Flood Control Act of 1970 (P.L. No. 91-611). Funding provided herein, is to continue the General Reevaluation Report and the repair of the previously constructed Section 3 area.

The conferees direct that none of the funds provided for the Olmsted Locks and Dam, Ohio project be used to reimburse the Claims and Judgment Fund.

The conferees have provided \$75,000 for the Corps of Engineers to initiate plans and specifications for the Ottawa River Harbor navigation project in Ohio.

The conferees note relative to the Cheyenne River Sioux Tribe, Lower Brule Sioux, South Dakota project, that Title VI of the Water Resources Development Act of 1999, as amended, authorizes funding to pay administrative expenses, implementation of terrestrial wildlife plans, activities associated with land transferred or to be transferred, and annual expenses for operating recreational areas. Within the funds provided, the conferees direct that not more than \$1,000,000 shall be provided for administrative expenses, and that the Corps is to distribute remaining funds as directed by Title VI to the State of South Dakota, the Cheyenne River Sioux Tribe and Lower Brule Sioux Tribe.

The conference agreement provides \$1,072,000 to complete the Black Fox, Murfree, and Oaklands Springs Wetlands, Murfreesboro, Tennessee, project. The conferees are aware that this project has exhibited growth in both scope and cost since its inception, and agree that no additional Federal funds will be appropriated; the Corps of Engineers and the sponsors are therefore urged to take necessary measures to bring the project to fruition as soon as possible.

The conferees have included \$5,400,000 to continue design and initiate construction for Chickamauga Lock, Tennessee.

The conference report includes \$500,000 to continue major rehabilitation work on the Whitney Lake Powerhouse, Texas.

The conference agreement includes language, proposed by the Senate, regarding the continued construction of the Dallas Floodway Extension project in Texas.

The conference agreement includes language, proposed by the Senate, concerning the acceptance of advance funds for the Los Angeles, California, project.

The conference agreement includes language, proposed by the Senate, directing use of funds for the Hawaii Water Management and Kaunapali Harbor projects, in Hawaii.

The conference agreement includes language, proposed by the Senate, directing the use of Dam Safety and Seepage/Stability Correction Program funds for the project at Waterbury Dam, Vermont.

The conference agreement includes language, proposed by the Senate and the House, providing for use of funds for elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project, West Virginia, Virginia, and Kentucky.

The conference agreement includes language, proposed by the Senate, concerning the construction of the Seward Harbor, Alaska, project: the upgrades at Kake, Alaska; and the construction of the Wrangell Harbor, Alaska, project.

The conference agreement includes language, proposed by the Senate, providing direction for the use of funds for the Tampa Harbor, Florida, project.

The conference agreement includes language, proposed by the Senate, addressing the introduction of non-native oyster species into the Chesapeake Bay.

The conference agreement includes language providing direction for construction of the Miami Harbor, Florida, project.

The conference agreement includes language, proposed by the House, providing for authorization for reconstruction of the Cape Girardeau, Missouri, project.

The conferees have determined that certain activities associated with the flood con-

trol project identified in the House Report under the Construction, General account for Washington, D.C. & Vicinity will be funded under the General Investigations account. The conferees have provided \$250,000 for the Corps of Engineers to execute the appropriate Memoranda of Understanding and Memoranda of Agreements to pave the way for project construction.

The conference agreement provides \$4,000,000 for the Aquatic Plant Control Program. Within the appropriated amount, the conferees have provided \$200,000 for the Corps to undertake aquatic plant control in high priority sites in Texas and \$100,000 for the control of Hydrilla in the Potomac River and Tributaries, Virginia, Maryland, and the District of Columbia. Program funds also include \$300,000 for a cost shared effort with the State of South Carolina and \$400,000 for a cost shared effort with the State of Vermont. The conferees urge the Corps to establish a cost shared program with the State of Hawaii.

The conferees direct the Corps of Engineers to undertake the projects listed in the House and Senate Reports and any additional projects described below for the various continuing authority programs. The recommended funding levels for these programs are as follows: Section 206—\$18,050,000; Section 204—\$6,000,000; Section 14—\$9,000,000; Section 205—\$30,000,000; Section 111—\$1,500,000; Section 1135—\$17,000,000; Section 107—\$9,000,000; Section 103—\$3,500,000; and Section 208—\$500,000. The conferees are aware that there are funding requirements for ongoing continuing authorities projects that may not be accommodated within the funds provided for each program. It is not the intent of the conferees that ongoing projects be terminated. If additional funds are needed during the year to keep ongoing work in any program on schedule, the conferees urge the Corps of Engineers to reprogram funds into the program.

Under the Section 206 program, the conferees have included \$500,000 for the Stevenson Creek project in Pinellas County, Florida; \$220,000 to complete a feasibility study for Long Lake, Indiana; \$50,000 for aquatic restoration of Ventura Marsh at Clear Lake Watershed in Iowa; \$200,000 to continue a feasibility study for the Paint Branch Fish Passage project in Maryland; \$300,000 to advance the feasibility study for Echo Bay, New Rochelle, New York; \$75,000 for Little Sugar Creek, North Carolina; and \$100,000 for the West Cary Stream restoration in North Carolina. The conference agreement also includes \$513,000 for the Corps to address acid mine drainage for the Cheat River Basin, Lick Run project in West Virginia under the Section 206 program.

Within the funds provided under the Section 204 program, the conference agreement includes \$3,000,000 in connection with the harbor of Morehead City, North Carolina, a project to disperse sand along Bogue Banks.

Under the Section 14 program, the conference agreement corrects the jurisdictional reference for the Borough of Rumson from "New York" to "New Jersey". The conferees provide \$40,000 for the Concordia University Section 14 project in Mequon, Wisconsin. The conference agreement also deletes Section 14 funding for Ottawa River, Shoreline Drive in Toledo, Ohio; Engel Park, Town of Ossining, New York; and for Burlington, Vermont.

Under the Section 205 program, the conference agreement includes \$100,000 for the Corps of Engineers to produce a feasibility study of flooding problems at the KellyUSA site in Bexar County, Texas. The conferees have included \$130,000 to continue feasibility studies for the Indian and Dry Run Creeks Watershed, and the Cedar River Levee, in Cedar Rapids, Iowa. Also included in the conference agreement under Section 205 are

\$200,000 for engineering, and design of the Upper Passaic River and Tributaries, New Jersey project and \$300,000 for Parke Run, Downingtown, Pennsylvania. The conference agreement for the Section 205 program does not include funding for the Higginson, Arkansas project or the Bono, Arkansas feasibility study.

Within the funds provided under the Section 1135 program, the conference agreement includes \$350,000 for ecosystem restoration of the Bull Creek Channel in California, and \$100,000 for Rathbun Lake Wetlands Habitat Restoration, Iowa. Also included under this program is \$500,000 for completion of the design and initiation of construction of the McCarran Ranch, Nevada, environmental restoration project.

Within the funds provided under the Section 103 program, the conference agreement includes \$100,000 for Bayou Teche, Louisiana.

Within the funds provided under the Section 208 program, the conference agreement includes \$67,000 for Deep River, Lake Station, Indiana.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI AND TENNESSEE

The conference agreement appropriates \$324,222,000 for Flood Control, Mississippi River and Tributaries, instead of \$301,054,000 as proposed by the House and \$329,000,000 as proposed by the Senate.

The conferees recognize the critical need of advancing much needed construction work on the Mississippi River Levees project to ensure the integrity of the levee system and to protect people and property from flooding. Therefore, the conferees have included \$47,000,000 for Mississippi River Levees, including \$500,000 for initiation of Birds Point-New Madrid, Missouri, flowage easements; \$450,000 to initiate St. Johns-New Madrid, Missouri, mitigation lands, box culverts, and levee closure; and \$2,070,000 for Nash, Missouri, relief wells. Funding will also support preparation of plans and specifications and initiation of construction on the Lower Mississippi River Museum and Riverfront Interpretive Site.

The conferees are also aware of the backlog of critical maintenance items in the Mississippi River Levees project and have included \$11,000,000 in the conference agreement. The additional funds include \$750,000 to repair or replace culverts at Mound Creek, Illinois and New Madrid, Missouri; \$500,000 to repair the Cairo, Illinois, floodwall; \$600,000 to provide gravel surfacing to selected levee-top roads in Arkansas, Mississippi, and Louisiana; \$2,000,000 to provide levee crown surfaces in Louisiana, and \$1,500,000 to repair the Birds Point-New Madrid, Missouri, levee setback with lime injection.

The conference agreement includes language, proposed by the Senate, directing activities on the Yazoo Backwater, Yazoo Backwater Pumping Plant, Mississippi, and the Grand Prairie, Arkansas, projects.

OPERATION AND MAINTENANCE, GENERAL

The conference agreement appropriates \$1,967,925,000 for Operation and Maintenance, General instead of \$1,932,575,000 as proposed by the House and \$2,014,000,000 as proposed by the Senate.

During fiscal year 2002, the General Accounting Office [GAO] reviewed the benefits and effects of current and proposed restrictions on the Corps of Engineers' hopper dredge fleet. Congress faces significant future investments in the Corps hopper dredge fleet, as it is rapidly aging. The conferees believe that the investment decisions must take into consideration the subsequent use of the fleet. The final GAO report, released March 2003, reviewed the impacts of oper-

ational changes to the fleet since fiscal year 1993. GAO's findings made it clear to the conferees that additional costs have been imposed upon the Corps with the decreased use of the fleet, but that the benefits have not been realized. Additionally, the GAO found that the Corps' contracting process for hopper dredges was not effective. Most importantly, the GAO reported that the Corps did not have even a limited system to evaluate the costs and benefits of the varying operational levels of its hopper dredge fleet, nor did it have a means to make maintenance and repair decisions of the fleet taking operational use into consideration. The conferees remain concerned that since 2000, the Corps has provided to Congress, a report which has been found to have no analytical basis, thus calling into question the ready reserve policy.

Therefore, the conferees direct the Corps of Engineers to report to the Appropriations Committees within 6 months of enactment of this Act, with a detailed plan of how it intends to rectify the current situation. The plan is to include how the Corps intends to establish a baseline for determining the appropriate use of the Corps hopper dredge fleet in the future. Finally, the Corps shall include a comprehensive analysis of the costs and benefits of the existing and proposed restrictions on the use of the fleet. Overall, the conferees expect the Corps to put in place measures by which better investment decisions regarding the fleet can be made.

The conferees have provided \$22,500,000 in funding for Tennessee-Tombigbee Waterway, Alabama and Mississippi, including \$500,000 for continued restoration of the historic Snagboat Montgomery.

The conferees are in agreement that capital costs of new site security and anti-terrorism improvements at flood control projects in Central California for which non-Federal interests have repayment contracts with the Bureau of Reclamation shall be subject to the Bureau's current policy for repayment of such anti-terrorism expenditures.

The conferees have provided \$6,000,000 for operation and maintenance of the Los Angeles County Drainage Area project, including activities at Hansen Dam.

The conferees include \$500,000 for maintenance dredging at Port Hueneme in Ventura County, California.

The conference agreement provides \$500,000 for continued dredging at San Pablo Bay and Mare Island Strait, including Pinole Shoal, in California.

The conference agreement includes \$5,185,000 for maintenance dredging of the Tampa Harbor, Florida project.

The conferees have provided \$5,000,000 for the Apalachicola, Chattahoochee, and Flint Rivers project which includes annual dredging of the river, annual operations and maintenance of the George W. Andrews Lock, spot dredging of shoals, continuation of slough mouth restorations, continuation of restoration efforts at Corley Slough, and routine operations and maintenance of the project.

The conference agreement includes, within available funds, \$100,000 under Operation and Maintenance, General, to continue report activities associated with Lucas Berg Pit, Worth, Illinois, which is part of the Illinois Waterway (MVR portion), Illinois and Indiana project.

Within the funds provided, up to the amount of \$300,000, the conferees direct the Corps of Engineers to perform maintenance dredging at Saugatuck Harbor, Michigan. The conferees have also provided \$250,000 for maintenance dredging of Bolles Harbor at La Plaisance Creek in Michigan.

As part of the Mississippi River Between Missouri River and Minneapolis project, the

conferees have agreed that the Corps should give consideration to Tow Haulage Unit Replacement and the conservation of the endangered Higgins Eye Mussel.

The conferees have provided additional funds for the Delaware River, Philadelphia to the Sea, New Jersey, Pennsylvania, and Delaware project to continue construction at Pea Patch Island.

The conferees have provided \$250,000 for sediment removal and dam repair at Junaluska, North Carolina.

The conference report includes an additional \$300,000 for mosquito control and prevention, and limited facility improvements at Garrison Dam, Lake Sakakawea, North Dakota.

The conference agreement includes \$500,000 for serious safety repairs for the John Day Lock and Dam, Oregon and Washington, on the Columbia-Snake Waterway system. The conferees believe that the budget request does not adequately address the serious nature of the problems at this structure and has accordingly provided funds above the budget request. The problems being experienced at this structure are indicative of the way maintenance of structures in the Federal inventory has been shortchanged. Timely, adequate maintenance funding would have likely prevented the costly measures that must now be undertaken to correct the problems. The conferees strongly encourage that adequate funding for maintenance be included in future budget submissions.

Within the \$342,000 additional funding for the Monongahela River, Pennsylvania and West Virginia, project, the conferees urge that the Corps of Engineers examine the practicality of remote control automation devices at the Hildebrand, Morgantown, and Opekiska Locks and to report to the Committees on Appropriations of its findings by March 31, 2004.

The conferees urge that the Federal Navigation Project for the Providence River and Harbor shall include maintenance dredging of the Pawtuxet Cove Federal Navigation Project in Cranston and Warwick, Rhode Island, and the Bullocks Point Cove Federal Navigation Project in East Providence and Barrington, Rhode Island, and disposal of dredged material from these projects in the Confined Aquatic Disposal cells in the Providence River.

The conference agreement includes \$150,000 within the authority made available for Removal of Sunken Vessels, for the Corps to perform a detailed examination of the remains of the vessel "State of Pennsylvania" located in the Christina River in an effort to assess the cost for its removal. In addition, the conferees express support for efforts to raise the CSS Georgia and hope that the Army Corps of Engineers will continue to advise and assist with options for raising this important historic artifact.

The conferees note that Title VI of the Water Resources Development Act of 1999, as amended, requires that funding to inventory and stabilize cultural and historic sites along the Missouri River in South Dakota, and to carry out the terrestrial wildlife habitat programs, shall be provided from the Operation and Maintenance account. The conference agreement provides \$5,000,000 to protect cultural resource sites and provide funding to the State and Tribes for approved restoration and stewardship plans and in compliance with the requirements of Title VI, directs the Corps to contract with or reimburse the State of South Dakota and affected Tribes to carry out these duties.

The conference agreement includes \$1,400,000 for continued maintenance dredging of the Waterway on the Coast of Virginia, project.

The conferees note the proximity of Corps navigation facilities on the Columbia River

between Chinook and the Head of Sand Island, Washington, and at Baker Bay, Washington, and encourage the Corps of Engineers to seek ways to achieve cost savings and efficiency, such as by utilizing appropriate contracting methods while having these two projects be considered together when seeking bids and awarding contracts.

The conferees have provided \$15,000,000 in funding for extraordinary maintenance; these funds are provided in recognition of the inability of the Corps of Engineers, for the last several years, to fund storm damage remediation in West Virginia, Michigan, Missouri, and other states. The conferees expect that the Corps will devote this funding to storm damages not previously addressed, rather than routine or backlog maintenance items.

The conference agreement includes language, proposed by the Senate, concerning operation and maintenance costs for the SRI Bridge, Delaware.

The conference agreement includes language, proposed by the Senate, regarding the rehabilitation of the dredged material disposal site at Bodega Bay, California.

The conference agreement includes language directing the use of funds by the Corps of Engineers for the Laguna Madre portion of the Gulf Intracoastal Waterway in Texas, and conditions for performing necessary maintenance along the Gulf Intracoastal Waterway, Texas.

The conference agreement includes language providing direction for the removal of a weir on the Mayfield Creek and Tributaries, Kentucky, project.

The conferees direct that the Corps of Engineers shall not obligate any surplus funds resulting from the enactment of the Power Marketing Administrations direct funding legislation prior to the submission of a plan, for approval, by the House and Senate Appropriations Committees.

REGULATORY PROGRAM

The conference agreement appropriates \$140,000,000 for the Regulatory Program instead of \$144,000,000 as proposed by the House and \$139,000,000 as proposed by the Senate.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

The conference agreement appropriates \$140,000,000 for the Formerly Utilized Sites Remedial Action Program (FUSRAP) as proposed by the House and the Senate. The conferees provide the Corps of Engineers with reprogramming authority for FUSRAP projects of up to 15 percent of the base of the receiving project. Reprogrammed funds must be excess to the source project.

FLOOD CONTROL AND COASTAL EMERGENCIES

In light of the recent replenishment of the Flood Control and Coastal Emergencies reserve fund, the conferees have provided no additional funds for this account. The recent depletion of this account, however, calls attention to two areas of concern about how this account is funded and administered. First, the drawing down of funds which could have been used to respond to actual emergency events to meet routine administrative and readiness expenses suggests that the Nation would be better served if response and readiness funds were provided and administered separately. Second, justification provided by the Corps of Engineers suggests that those administrative and readiness expenses have grown to unacceptable levels. The Secretary is directed to consider changes in the separate management of these funds, and to report to the Appropriations Committees of the House and Senate within 180 days of enactment of this legislation into law.

The Nation deserves the best, most reliable, most economical tools which tech-

nology can provide for the protection of its citizenry and their property when confronted with natural disaster. The conferees are aware of the preliminary testing of the Rapid Deployment Flood Wall at the Engineering Research and Development Center in Vicksburg, Mississippi. This technology has shown promise in the effort to fight floods. Its proponents claim, and preliminary tests tend to confirm, that it can be cost-effective, quick to deploy, and superior to traditional sandbags in protecting property from flood damages totaling millions in dollars each year. The conferees therefore direct the Corps of Engineers, within funds available in the Flood Control and Coastal Emergencies account, to act immediately to devise real world testing procedures for this and other promising alternative flood fighting technologies, and to provide a status report to the Committees on Appropriations with 180 days of enactment of this legislation.

REVOLVING FUND

The conferees are concerned about the cost of aircraft maintenance by the Corps of Engineers. The conferees realize that reliable and readily available transportation is necessary for the Corps to effectively perform many of its missions, especially those related to emergencies, and that the Corps division offices support these missions in the geographic regions for which they are responsible. The conferees found the report required as part of the fiscal year 2003 appropriations activities lacking and therefore direct the Corps to re-evaluate the costs and benefits of the Corps maintaining its own aircraft. This reanalysis must include all other options for air transportation, including the use of military aircraft. With constricted budgets, the conferees are skeptical that the possession and maintenance of an aircraft by any division or district is both cost-effective and mission-essential when compared to alternatives, such as use of military aircraft and leasing. Therefore, the Corps must present to the House and Senate Appropriations Subcommittees on Energy and Water Development a justification that includes a complete and thorough economic analysis for approval before any additional aircraft are acquired. The Corps is directed to submit, within 6 months, a justification and economic analysis to support the continued maintenance of aircraft by the Corps as an asset. For purposes of this analysis, and for the purpose of determining whether or not use of a Corps-owned aircraft is appropriate for a discrete mission, the Corps is directed to employ realistic measures of time saved and the full value of that time.

GENERAL EXPENSES

The conferees are aware that there has been a change in which audit organization conducts the audit of the financial statements of the Army Corps of Engineers. Further, the conferees are aware that the budget request included \$7,000,000 for an audit of the Corps of Engineers and the conferees have not included funds for this audit. The conferees direct that the Corps continue to produce and provide audit information as it has in past years.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

Section 101. The conference agreement includes language proposed by the House and the Senate, which places a limit on credits and reimbursements allowable per year and per project.

Section 102. The conference agreement includes language proposed by the House prohibiting the expenditure of funds related to a proposed landfill in Tuscarawas County, Ohio.

Section 103. The conference agreement includes language proposed by the Senate

which prohibits the reorganization or change of the Corps of Engineers statutory mission without a subsequent Act of Congress.

Section 104. The conference agreement includes language proposed by the House prohibiting the expenditure of funds related to a proposed landfill in Sandy Township, Stark County, Ohio.

Section 105. The conference agreement includes language proposed by the Senate amending the authorization of the Alamogordo, New Mexico, flood control project.

Section 106. The conference agreement includes language proposed by the House that renames Lock and Dam 3 on the Allegheny River in Pennsylvania.

Section 107. The conference agreement includes language providing that the Secretary of the Army may utilize continuing contracts in carrying out the studying, planning, or designing of a water resources project authorized for study, prior to the authorization of the project for construction.

Section 108. The conference agreement includes language proposed by the Senate which authorizes oil bolland and debris removal at Burlington Harbor, Vermont.

Section 109. The conference agreement includes language, proposed by the Senate which makes technical corrections for the Kake Dam Replacement in Kake, Alaska.

Section 110. The conference agreement includes language proposed by the Senate deauthorizing some components of the federal navigation channel in Pawtuxet Cove, Rhode Island.

Section 111. The conference agreement includes language proposed by the Senate authorizing the Secretary of the Army to provide assistance to non-Federal interests at Tar Creek, Ottawa County, Oklahoma.

Section 112. The conference agreement includes language proposed by the Senate to use previously appropriated funds for technical assistance related to coastal erosion in Alaskan communities, at full Federal expense.

Section 113. The conference agreement includes language proposed by the Senate which prohibits the use of funds for closure or removal of the St. Georges Bridge, Delaware.

Section 114. The conference agreement includes language proposed by the Senate extending the date for which the Corps of Engineers can accept funds from non-Federal entities to process permits.

Section 115. The conference agreement includes language proposed by the Senate regarding Section 353 of Public Law 105-227.

Section 116. The conference agreement includes language proposed by the Senate for emergency project restoration at Middle Rio Grande bosque in and around Albuquerque, New Mexico.

Section 117. The conference agreement includes language proposed by the Senate amending Section 595 of the Water Resources Development Act of 1999.

Section 118. The conference agreement includes language proposed by the Senate amending Section 560(f) of Public Law 106-53.

Section 119. The conference agreement includes language, proposed by the Senate which further amends Section 219(f) of the Water Resources Development Act of 1992 (Public Law 202-580; 106 Stat. 4835), as amended, to include authorization for wastewater infrastructure at Coronado, California.

Section 120. The conference agreement includes language, proposed by the Senate amending Section 592(g) of the Water Resources Development Act of 1999.

Section 121. The conference agreement includes language, proposed by the Senate amending the authorization for the Park River, Grafton, North Dakota, project.

Section 122. The conference agreement includes language proposed by the Senate that provides assistance for Schuylkill River Park in Philadelphia, Pennsylvania, pursuant to the Water Resources Development Act of 1996, and as contained in the February 2003 Corps of Engineers report.

Section 123. The conference agreement includes language proposed by the Senate authorizing the Corps of Engineers to implement ecosystem restoration for the Gwynns Falls Watershed in Baltimore, Maryland.

Section 124. The conference agreement includes language proposed by the Senate authorizing the Snake River Confluence Interpretive Center in Clarkston, Washington.

Section 125. The conference agreement provides language providing direction for completion of the flood damage reduction general reevaluation report for Mill Creek, Cincinnati, Ohio.

Section 126. The conference agreement includes language amending Section 219(f)(25) of the Water Resources Development Act of 1992 relative to Lakes Marion and Moultrie, South Carolina.

Section 127. The conference agreement includes language amending Section 219(f) of the Water Resources Development Act of 1992 relative to Charleston, South Carolina.

Section 128. The conference agreement includes language authorizing the project for flood damage reduction and environmental restoration of the American River Watershed, California and directs the Secretary of the Army to immediately commence studies for and the design of a permanent bridge.

Section 129. The conference agreement modifies the authorizing legislation and subsequent modifications for the American and Sacramento Rivers, California and directs the Secretary to carry out the project.

Section 130. The conference agreement includes language allowing the Secretary of the Army to establish an environmental assistance program for Placer and El Dorado Counties, California.

Section 131. The conference agreement amends Section 219(f)(23) of the Water Resources Development Act of 1992 for the Sacramento Area, California.

Section 132. The conference agreement includes language allowing the Secretary of the Army to establish an environmental assistance program for the Upper Klamath Basin, California.

Section 133. The conference agreement amends Section 219(f) of the Water Resources Development Act of 1992 for Placer and El Dorado Counties, California; and for Lassen, Plumas, Butte, Sierra, and Nevada Counties, California.

Section 134. The conference agreement includes language which authorizes funds to be appropriated for the construction of a permanent bridge for the American River Watershed.

Section 135. The conference agreement amends Section 504(a)(2) of the Water Resources Development Act of 1999 by striking "Kehly Run Dam" and inserting "Kehly Run Dams".

Section 136. The conference agreement modifies the authorization for the McClellan-Kerr Arkansas River Navigation project to a project depth of 12 feet.

Section 137. The conference agreement includes a provision to credit the non-Federal sponsor for environmental dredging at Ash-tabula River, Ohio.

Section 138. The conference agreement includes language providing authorization for review of a feasibility report for waterfront development at Gateway Point, North Tonawanda, New York.

Section 139. The conference agreement includes language affecting specific portions of the projects for navigation for Chicago River and Chicago Harbor, Illinois.

Section 140. The conference agreement provides direction for activities under the authority provided by Section 214 of the Water Resources Development Act of 2000.

Section 141. The conference agreement includes language regarding credits for Wolf Lake, Indiana.

Section 142. The conference agreement provides direction to the Secretary of the Army involving credit for the cost of design work completed by the non-Federal interests for the Cook County, Illinois, project.

Section 143. The conference agreement includes language regarding credits for the non-Federal sponsor for Los Angeles Harbor, Los Angeles, California.

Section 144. The conference agreement includes language concerning credits for San Lorenzo, California.

Section 145. The conference agreement includes language amending Section 219(f)(12) of the Water Resources Development Act of 1992 for the Calumet Region, Indiana.

Section 146. The conference agreement includes authorization regarding the Meramec River Basin, Valley Park Levee project in Missouri.

Section 147. The conference agreement includes language modifying the authorization for the flood control project for Saw Mill Run, Pennsylvania.

Section 148. The conference agreement includes language which modifies the authorization for the flood control project for Roanoke River Upper Basin, Virginia.

Section 149. The conference agreement includes language modifying the authorization for the harbor deepening project at Brunswick Harbor, Georgia.

Section 150. The conference agreement modifies the authorization for the flood control project at Lackawanna River at Olyphant, Pennsylvania.

Section 151. The conference agreement includes language which modifies the author-

ization for the Perry Creek Flood Control project at Sioux City, Iowa.

Section 152. The conference agreement provides language regarding Section 358 of Public Law 105-53 for Elizabeth River, Chesapeake, Virginia.

Section 153. The conference agreement provides language amending Section 219(f) of the Water Resources Development Act of 1992.

Section 154. The conference agreement includes language modifying Flood Control Act of 1938 provisions regarding the Mississippi River and Big Muddy River, Illinois.

Section 155. The conference agreement provides authorization for a project to restore lake depths at Moss Lake, Louisiana.

Section 156. The conference agreement provides language amending the authorization for Manatee Harbor, Florida.

Section 157. The conference agreement includes language which authorizes the Secretary of the Army to conduct a study to determine the feasibility of carrying out a project for flood damage reduction in the Harris Gully Watershed, Harris County, Texas.

Section 158. The conference agreement includes language which provides that the Secretary of the Army may carry out the Reach J, Segment 1, element of the Morganza to the Gulf, Louisiana, project in accordance with the report of the Chief of Engineers, dated August 23, 2002, and supplemental report dated July 22, 2003.

Provisions not included in the conference agreement.—The conference agreement does not include language, proposed by the Senate to deauthorize inactive Corps of Engineers projects.

The conference agreement does not include language, proposed by the Senate regarding the use of Power Marketing Administration receipts by the Corps of Engineers.

The conference agreement does not include language, proposed by the Senate that limits the minimum funding levels for Great Lakes Remedial Action Plans and Sediment Remediation Programs, under the funding available for this program under General Investigations.

The conference agreement does not include language, proposed by the Senate for providing funding to the International Mountain Bicycling Association under the Operation and Maintenance, General, account.

The conference agreement does not include language, proposed by the Senate for funding to be made available under Construction, General, for future work under Section 560 of the Water Resources Development Act of 1999.

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	INVESTIGATIONS	PLANNING	INVESTIGATIONS	CONFERENCE	PLANNING
ALABAMA						
BREWTON AND EAST BREWTON, AL.....	300	---	---	300	---	---
CAHABA RIVER WATERSHED, AL.....	50	---	---	50	---	---
VILLAGE CREEK, JEFFERSON COUNTY (BIRMINGHAM WATERSHED)	200	---	---	200	---	---
ALASKA						
ADAK, AK.....	---	---	---	100	---	---
AKUTAN HARBOR, AK.....	100	---	---	100	---	200
ANCHORAGE HARBOR DEEPENING, AK.....	50	---	---	200	---	---
BARROW COASTAL STORM DAMAGE REDUCTION, AK.....	200	---	---	900	---	---
COFFMAN COVE, AK.....	---	---	---	200	---	---
CRAIG HARBOR, AK.....	50	---	---	200	---	---
DELONG MOUNTAIN HARBOR, AK.....	200	---	---	566	---	---
EKLUTNA RIVER WATERSHED, AK.....	100	---	---	300	---	---
HAINES HARBOR, AK.....	100	---	---	100	---	200
HOMER HARBOR, AK.....	---	---	---	100	---	---
KAKTOVIK BEACH EROSION STUDY, AK.....	---	---	---	200	---	---
KETCHIKAN HARBOR, AK.....	50	---	---	200	---	---
KLAWOCK HARBOR, AK.....	---	---	---	100	---	---
KNIK BRIDGE CROSSING, AK.....	---	---	---	200	---	---
KOTZEBUE SMALL BOAT HARBOR, AK.....	50	---	---	250	---	---
LITTLE DIOMEDE HARBOR, AK.....	50	---	---	50	---	---
MCGRATH BANK STABILIZATION, AK.....	---	---	---	300	---	---
MATANUSKA RIVER EROSION CONTROL, AK.....	---	---	---	250	---	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
MEKORYUK HARBOR, AK.....	50	---	100	---
PORT LIONS HARBOR, AK.....	100	---	100	---
REGIONAL PORT STUDY, AK.....	---	---	300	---
SAINT GEORGE NAVIGATION IMPROVEMENTS, AK.....	50	---	50	---
SKAGWAY, AK.....	---	---	100	---
UNALAKLEET HARBOR, AK.....	50	---	200	---
UNALASKA HARBOR, AK.....	150	---	500	---
VALDEZ HARBOR EXPANSION, AK.....	50	---	50	---
WHITTIER BREAKWATER, AK.....	50	---	50	---
YAKUTAK, AK.....	---	---	100	---
AMERICAN SOMOA				
TUTUILA HARBOR, AS.....	46	---	46	---
ARIZONA				
AGUA FRIA RIVER, AZ.....	150	---	150	---
CANADA DEL ORO WASH, AZ.....	100	---	---	---
GILA RIVER AND TRIBUTARIES, AZ.....	---	---	150	---
NAVAJO NATION, AZ, NM & UT.....	130	---	160	---
PIMA COUNTY, AZ.....	300	---	1,000	---
RILLITO RIVER, PIMA COUNTY, AZ.....	300	---	300	---
RIO SALADO OESTE, SALT RIVER, AZ.....	250	---	600	---
SANTA CRUZ RIVER, GRANT RD TO FT LOWELL RD, AZ.....	100	---	100	---
SANTA CRUZ RIVER, PASEO DE LAS IGLESIAS, AZ.....	152	---	152	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
VA SHILY-AY AKIMEL SALT RIVER RESTORATION PROJECT, AZ...	370	---	800	---
ARKANSAS				
ARKANSAS RIVER LEVEES, AR.....	---	---	---	200
ARKANSAS RIVER NAVIGATION STUDY, AR & OK.....	1,070	---	1,200	---
MAY BRANCH, FORT SMITH, AR.....	---	---	---	100
NORTH LITTLE ROCK, DARK HOLLOW, AR.....	---	---	---	200
HOT SPRINGS CREEK, AR.....	---	---	31	---
PINE MOUNTAIN DAM, AR.....	---	---	---	150
RED RIVER NAVIGATION, SOUTHWEST ARKANSAS, AR AND LA...	---	---	---	150
WHITE RIVER BASIN COMPREHENSIVE, AR & MO.....	300	---	1,000	---
WHITE RIVER MINIMUM FLOWS, AR & MO.....	---	---	---	150
WHITE RIVER NAVIGATION STUDY.....	---	---	---	150
CALIFORNIA				
ALISO CREEK MAINSTEM, CA.....	150	---	150	---
ARANA GULCH WATERSHED, CA.....	100	---	100	---
ARROYO SECO WATERSHED RESTORATION, CA.....	150	---	150	---
BALLONA CREEK ECOSYSTEM RESTORATION, CA.....	150	---	250	---
BOLINAS LAGOON ECOSYSTEM RESTORATION.....	---	---	100	---
CALIFORNIA COASTAL SEDIMENT MASTER PLAN.....	---	---	200	---
CITY OF INGLEWOOD, CA.....	---	---	300	---
CITY OF NORWALK, CA.....	---	---	100	---
CITY OF SANTA CLARITA, CA.....	141	---	141	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
CITY OF SAN BERNADINO, CALIFORNIA (CITY OF SAN BERNADI	---	---	100	---
COAST OF CALIFORNIA, LOS ANGELES COUNTY, CA (STORM & T	---	---	500	---
COYOTE DAM, CA.....	100	---	100	---
DESERT HOT SPRINGS, CA.....	---	---	200	---
GRAYSON AND MURDERER'S CREEKS, CA.....	400	---	400	---
HUMBOLDT BAY LONG TERM SHOAL MANAGEMENT, CA.....	---	---	100	---
LA RIVER WATERCOURSE, HEADWORKS AREA, CA.....	250	---	250	---
LA RIVER WATERCOURSE, SAN JOSE CREEK, CA.....	100	---	100	---
LAGUNA DE SANTA ROSA, CA.....	150	---	150	---
LAKE ELSINORE ENVIRONMENTAL RESTORATION, CA.....	50	---	50	---
LOWER CACHE CREEK, YOLO COUNTY, CA.....	---	---	---	100
LLAGAS CREEK FLOOD PROTECTION PROJECT.....	---	---	---	250
LOS ANGELES COUNTY, CA.....	150	---	400	---
LOWER MISSION CREEK (FLOOD CONTROL & REHABILITATION PR	---	---	---	200
MALIBU CREEK WATERSHED, CA.....	270	---	270	---
MARINA DEL REY AND BALLONA CREEK, CA.....	150	---	150	---
MATILIJIA DAM, CA.....	300	---	600	---
MIDDLE CREEK, CA.....	---	---	---	100
MORRO BAY ESTUARY, CA.....	250	---	250	---
MUGU LAGOON, CA.....	150	---	150	---
N CA STREAMS, LOWER SACRAMENTO RVR RIPARIAN REVEGETATI	200	---	200	---
NAPA RIVER, SALT MARSH RESTORATION, CA.....	200	---	200	200
NAPA VALLEY WATERSHED MANAGEMENT, CA.....	150	---	200	---
NEWPORT BAY/SAN DIEGO CREEK WATERSHED, CA.....	186	---	186	---
OCEAN BEACH, CA.....	100	---	100	---
ORANGE COUNTY SPECIAL AREA MANAGEMENT PLAN, CA.....	---	---	190	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	----- BUDGET REQUEST -----	----- CONFERENCE -----
	INVESTIGATIONS PLANNING	INVESTIGATIONS PLANNING
ORANGE COUNTY SHORELINE, LOWER SANTA ANA RIVER WATERSH	100	100
ORANGE COUNTY, SANTA ANA RIVER BASIN, CA.....	150	150
PAJARO RIVER AT WATSONVILLE, CA.....	---	500
PAJARO RIVER BASIN STUDY, CA.....	100	100
PINE FLAT DAM, FISH & WILDLIFE HABITAT, CA.....	---	50
POSO CREEK, CA.....	300	300
PRADO BASIN ENVIRONMENTAL RESTORATION, CA.....	100	100
RIVERSIDE COUNTY SPECIAL AREA MANAGEMENT PLAN, CA.....	---	200
RUSSIAN RIVER ECOSYSTEM RESTORATION, CA.....	150	150
SACRAMENTO - SAN JOAQUIN DELTA, CA.....	1,100	1,100
SACRAMENTO AND SAN JOAQUIN COMPREHENSIVE BASIN STUDY, ..	1,020	1,500
SAN BERNARDINO COUNTY, CA.....	100	125
SAN CLEMENTE SHORELINE, CA.....	100	150
SAN DIEGO COUNTY SPECIAL AREA MANAGEMENT PLAN, CA.....	---	150
SAN DIEGO SHORELINE, CA.....	---	200
SAN FRANCISCO BAY, CA.....	420	---
SAN FRANCISQUITO CREEK, CA.....	100	100
SAN JACINTO RIVER, CA.....	100	100
SAN JOAQUIN RB, W STANISLAUS, DEL PUERTO & SALADO CREE	50	50
SAN JOAQUIN RB, WEST STANISLAUS COUNTY, ORESTIMBA CREE	300	300
SAN JOAQUIN RIVER BASIN, CONSUMNES & MOKELUMNE RIVERS,	200	200
SAN JOAQUIN RIVER BASIN, FRAZIER CREEK, CA.....	100	100
SAN JOAQUIN RIVER BASIN, TUOLUMNE RIVER, CA.....	350	350
SAN JUAN CREEK, SOUTH ORANGE COUNTY, CA.....	100	100
SAN PABLO BAY WATERSHED, CA.....	200	200
SANTA ANA RIVER AND TRIBUTARIES, BIG BEAR LAKE, CA.....	200	200

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
SANTA CLARA RIVER, CITY OF SANTA CLARITA, CA.....	150	---	150	---
SANTA ROSA CREEK WATERSHED, CA.....	120	---	120	---
SOLANA BEACH/ENCINITAS SHORELINE PROTECTION STUDY, CA.	---	---	900	---
SONOMA CREEK AND TRIBUTARIES, CA.....	150	---	150	---
SOUTH SAN FRANCISCO SHORELINE STUDY, CA.....	---	---	100	---
STRONG AND CHICKEN RANCH SLOUGHS, CA.....	50	---	50	---
SUTTER COUNTY, CA.....	200	---	200	---
TAHOE BASIN, CA & NV.....	1,000	---	1,000	50
TIJUANA RIVER VALLEY, CA.....	100	---	200	---
TUJUNGA WASH RESTORATION, CA.....	---	---	100	---
UPPER GUADALUPE RIVER, CA.....	---	---	---	150
UPPER PENITENCIA CREEK, CA.....	460	---	460	---
UPPER SANTA ANA RIVER WATERSHED, CA.....	150	---	150	---
VENTURA AND SANTA BARBARA COUNTY SHORELINE, CA.....	100	---	100	---
VENTURA HARBOR SAND BYPASS, CA.....	121	---	121	---
WESTMINSTER, COYOTE AND CARBON CANYON CREEK WATERSHEDS	150	---	150	---
WESTMINSTER, EAST GARDEN GROVE, CA.....	100	---	100	---
WHITE RIVER AND DEER CREEK, CA.....	100	---	100	---
WHITewater RIVER BASIN, CA.....	---	---	---	150
WILDCAT AND SAN PABLO CREEKS, CA.....	100	---	100	---
COLORADO				
ADAMS COUNTY (DENVER), CO.....	---	---	100	---
CACHE LA POUDDRE RIVER FLOODWAY, GREELEY, CO.....	---	---	32	---
CHATFIELD, CHERRY CREEK AND BEAR CREEK RESERVOIRS, CO.	260	---	260	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS (AMOUNTS IN THOUSANDS)		BUDGET REQUEST		CONFERENCE	
		INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING

FOUNTAIN CREEK AND TRIBUTARIES, CO.....	350	---	---	350	---
ZUNI AND SUN VALLEY REACHES, SOUTH PLATTE RIVER, CO...	---	---	186	---	186
COMMONWEALTH OF NORTHERN MARIANA ISLANDS					
ROTA HARBOR MODIFICATIONS, CNMI.....	102	---	---	102	---
TINIAN HARBOR MODIFICATIONS, CNMI.....	102	---	---	102	---
DELAWARE					
DELAWARE COAST, CAPE HENLOPEN TO FENWICK ISLAND, DE...	---	---	214	---	---
DISTRICT OF COLUMBIA					
WASHINGTON DC AND VICINITY, DC.....	---	---	---	---	250
FLORIDA					
BISCAYNE BAY FEASIBILITY, FL.....	---	---	---	100	---
DAYTONA BEACH SHORES, VOLUSIA COUNTY, FL.....	---	---	---	100	---
EGMONT KEY SHORELINE STABILIZATION, FL.....	---	---	---	500	---
FLAGLER COUNTY, FL.....	---	---	---	100	---
HILLSBOROUGH RIVER, FL.....	340	---	---	340	---
LAKE WORTH INLET, PALM BEACH COUNTY, FL.....	370	---	---	370	---
SARASOTA COUNTY, LIDO KEY, FL.....	---	---	---	---	200
LITTLE TALBOT ISLAND, FL.....	---	---	---	---	100

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	----- BUDGET REQUEST -----	----- CONFERENCE -----
	INVESTIGATIONS PLANNING	INVESTIGATIONS PLANNING
PORT EVERGLADES HARBOR, FL.....	---	---
ST. JOHNS COUNTY, FL.....	---	100
ST. PETERSBURG HARBOR, FL.....	---	---
ST. LUCIE COUNTY, FL.....	---	100
WALTON COUNTY BEACH & ENVIRONMENTAL RESTORATION STUDY,	---	300
WITHLACOOCHIE RIVER, FL.....	340	340
GEORGIA		
ALLATOONA LAKE, GA.....	150	150
ARABIA MOUNTAIN, GA.....	150	150
AUGUSTA, GA.....	300	300
INDIAN, SUGAR, ENTRENCHMENT & FEDERAL PRISON CREEKS...	175	175
LONG ISLAND, MARSH AND JOHNS CREEKS, GA.....	150	150
SAVANNAH ESTUARY AND FRESHWATER WETLANDS, GA.....	---	100
SAVANNAH HARBOR ECOSYSTEM RESTORATION, GA.....	150	150
SAVANNAH HARBOR EXPANSION, GA & SC.....	---	---
SAVANNAH HARBOR SEDIMENT CONTROL WORKS, GA & SC.....	100	100
SAVANNAH RIVER BASIN COMPREHENSIVE, GA & SC.....	200	200
UTOY, SANDY AND PROCTOR CREEKS, GA.....	100	100
GUAM		
HAGATNA RIVER, GUAM.....	---	100

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
HAWAII				
ALA WAI CANAL, OAHU, HI.....	100	---	100	---
BARBERS POINT HARBOR MODIFICATION, OAHU, HI.....	100	---	100	---
IAO STREAM FLOOD CONTROL, HI (ISLAND OF MAUI).....	---	---	---	100
KAHUKU, HI.....	100	---	100	---
KAWAIIHAE DEEP DRAFT HARBOR MODIFICATIONS, HAWAII, HI..	100	---	100	---
KIHEI AREA EROSION, HI.....	100	---	100	---
NAWILIWILI HARBOR MODIFICATION, KAUAI, HI.....	100	---	100	---
WAILUPE STREAM FLOOD CONTROL STUDY, HI.....	---	---	---	200
WAIKIKI BEACH EROSION CONTROL PROJECT, OAHU, HI.....	---	---	---	250
IDAHO				
BOISE RIVER, BOISE, ID.....	110	---	110	---
LITTLE WOOD RIVER, GOODING, ID.....	100	---	100	100
ILLINOIS				
ALEXANDER AND PULASKI COUNTIES, IL.....	103	---	103	---
DES PLAINES RIVER, IL (PHASE II).....	278	---	400	---
GREAT LAKES FISHERY & ECOSYSTEM RESTORATION, IL, IN, M	---	---	36	---
ILLINOIS RIVER AT BEARDSTOWN, IL (BEARDSTOWN HARBOR)...	---	---	100	---
ILLINOIS RIVER BASIN RESTORATION, IL.....	504	---	600	---
ILLINOIS RIVER ECOSYSTEM RESTORATION, IL.....	148	---	148	---
PEORIA RIVERFRONT DEVELOPMENT, IL.....	---	600	---	600

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ROCK RIVER, IL & WI.....	48	---	48	---
UPPER MISS & ILLINOIS NAV STUDY, IL, IA, MN, MO & WI...	3,216	---	3,700	---
UPPER MISS RVR COMPREHENSIVE PLAN, IL, IA, MO, MN & WI	494	---	2,000	---
WAUKEGAN HARBOR, IL (1970 MODIFICATION).....	---	---	---	175
WOOD RIVER LEVEE, IL.....	---	---	---	200
INDIANA				
INDIANA HARBOR, IN.....	150	---	500	---
JOHN T. MYERS LOCK AND DAM, IN & KY.....	---	---	---	1,300
IOWA				
CLEAR LAKE WATERSHED, IA.....	---	---	100	---
DAVENPORT, IA.....	---	159	---	159
DES MOINES AND RACCOON RIVERS, IA.....	565	---	565	---
FORT DODGE, IA.....	23	---	---	---
LOWER DES MOINES RIVER, IA & MO.....	50	---	50	---
KANSAS				
BRUSH CREEK BASIN STUDY, KS & MO.....	---	---	100	---
GRAND (NEOSHO) RIVER BASIN WATERSHED, KS & OK.....	---	---	100	---
TOPEKA, KS.....	125	---	125	50
TURKEY CREEK BASIN, KS & MO.....	---	205	---	---
UPPER TURKEY CREEK, KS.....	229	---	---	229

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
WALNUT AND WHITEWATER RIVER WATERSHEDS, KS.....	160	---	160	---
KENTUCKY				
DEWEY LAKE WATER REALLOCATION, KY.....	---	---	100	---
GREENUP LOCKS AND DAM, OHIO RIVER, KY & OH.....	---	2,895	---	2,895
LICKING RIVER WATER SUPPLY, CYNTHIANA, KY.....	---	---	100	---
METROPOLITAN LOUISVILLE, JEFFERSON COUNTY, KY.....	200	---	200	---
METROPOLITAN LOUISVILLE, MILL CREEK BASIN, KY.....	176	---	176	---
METROPOLITAN LOUISVILLE, SOUTHWEST, KY.....	225	---	400	---
OHIO RIVER MAIN STEM SYSTEMS STUDY, KY, IL, IN, PA, WV	1,350	---	1,350	---
LOUISIANA				
AMITE RIVER AND TRIBUTARIES ECOSYSTEM RESTORATION, LA.	50	---	50	---
AMITE RIVER AND TRIBUTARIES, BAYOU MANCHAC, LA.....	100	---	200	---
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	150	---	1,150	---
BAYOU SORREL LOCK, LA.....	---	707	---	707
BOSSIER PARISH LEVEE AND FLOOD CONTROL, LA.....	---	---	100	---
CALCASIEU LOCK, LA.....	100	---	100	---
CALCASIEU RIVER BASIN, LA.....	50	---	50	---
CALCASIEU RIVER PASS SHIP CHANNEL ENLARGEMENT, LA.....	---	---	150	---
CROSS LAKE, LA WATER SUPPLY IMPROVEMENTS.....	---	---	100	---
GIWW ECOSYSTEM RESTORATION, LA.....	100	---	100	---
HURRICANE PROTECTION, LA.....	100	---	100	---
JEFFERSON PARISH, LA.....	---	---	---	25

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
LAFAYETTE PARISH, LA.....	---	645	---	645
LOUISIANA COASTAL AREA ECOSYSTEM RESTORATION, LA.....	848	---	2,500	---
ORLEANS PARISH, LA.....	---	---	---	25
PLAQUEMINES PARISH URBAN FLOOD CONTROL, LA.....	100	---	100	---
PORT OF IBERIA, LA.....	150	---	1,150	---
ST BERNARD PARISH URBAN FLOOD CONTROL, LA.....	100	---	100	---
ST CHARLES PARISH URBAN FLOOD CONTROL, LA.....	100	---	100	---
ST JOHN THE BAPTIST PARISH, LA.....	100	---	350	---
WEST BATON ROUGE PARISH, LA.....	---	---	---	100
WEST SHORE - LAKE PONTCHARTRAIN, LA, FEASIBILITY STUDY	---	---	---	300
MAINE				
SEARSPORT HARBOR, ME.....	---	---	100	---
MARYLAND				
ANACOSTIA RIVER & TRIBUTARIES, MD & DC.....	---	---	200	---
ANACOSTIA RIVER, PG COUNTY LEVEE, MD & DC.....	194	---	194	---
BALTIMORE METROPOLITAN WATER RESOURCES, GWYNNS FALLS, ..	---	---	---	300
CHESAPEAKE BAY SHORELINE EROSION, MD, VA & DE.....	200	---	450	---
EASTERN SHORE, MID CHESAPEAKE BAY ISLAND, MD.....	351	---	800	---
LOWER POTOMAC ESTUARY WATERSHED, ST MARY'S, MD.....	200	---	294	---
MIDDLE POTOMAC RIVER BASIN, MD.....	100	---	200	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
MASSACHUSETTS				
BLACKSTONE RIVER WATERSHED RESTORATION, MA & RI.....	50	---	50	---
BOSTON HARBOR (45-FOOT CHANNEL), MA.....	500	---	500	---
COASTAL MASSACHUSETTS ECOSYSTEM RESTORATION, MA.....	170	---	170	---
SOMERSET AND SEARSBURG DAMS, MA & VT.....	---	---	---	100
MICHIGAN				
DETROIT RIVER MASTER PLAN, MI.....	---	---	100	---
DETROIT RIVER SEAWALLS, MI.....	---	---	---	150
GREAT LAKES NAV SYST STUDY, MI, IL, IN, MN, NY, OH, PA	740	---	2,000	---
JOHN GLENN GREAT LAKES BASIN (STRATEGIC PLAN), MI, IL,	---	---	131	---
JOHN GLENN GREAT LAKES BASIN (BIOHYDROLOGICAL), MI, IL	---	---	45	---
JOHN GLENN GREAT LAKES BASIN (RECREATION BOATING), MI,	---	---	300	---
LANSING, MI.....	---	---	100	---
MUSKEGON LAKE, MI - ENVIRONMENTAL DREDGING.....	---	---	---	100
ROUGE RIVER SUPP PLAN, MI.....	---	---	100	---
ROUGE RIVER ENVIRONMENTAL DREDGING, MI.....	---	---	25	---
MINNESOTA				
MINNEHAHA CREEK WATERSHED, UMR LAKE ITASCA TO L&D 2, M	250	---	250	---
MINNESOTA RIVER BASIN, MN & SD.....	---	---	132	---
RED RIVER OF THE NORTH BASIN, MN, ND, SD & MANITOBA, C	1,200	---	1,200	---
SOUTH WASHINGTON CTY WATERSHED, UMR LAKE ITASCA TO L&D	250	---	250	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	INVESTIGATIONS	PLANNING	CONFERENCE
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
MISSISSIPPI				
GULFPORT AND HARRISON COUNTY WATERSHED STUDY, MS.....	100	---	100	---
HANCOCK COUNTY SEAWALL RESTORATION, MS.....	150	---	150	---
PEARL RIVER WATERSHED, MS.....	400	---	550	---
MISSOURI				
CHESTERFIELD, MO.....	---	439	---	350
KANSAS CITIES, MO & KS.....	316	---	500	---
MISSOURI RIVER LEVEE SYSTEM, UNITS L455 & R460-471, MO	150	---	150	---
RIVER DES PERES, MO.....	---	---	---	100
SPRINGFIELD, MO.....	230	---	400	---
ST. LOUIS FLOOD PROTECTION, MO.....	---	---	---	100
ST. LOUIS HARBOR, MO.....	---	---	---	100
ST LOUIS MISSISSIPPI RIVERFRONT, MO & IL.....	151	---	200	---
SWOPE PARK INDUSTRIAL AREA, KANSAS CITY, MO.....	---	---	---	350
WEARS CREEK, JEFFERSON CITY, MO.....	100	---	100	---
MONTANA				
YELLOWSTONE RIVER CORRIDOR, MT.....	209	---	209	---
NEBRASKA				
LOWER PLATTE RIVER AND TRIBUTARIES, NE.....	191	---	191	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	-----	BUDGET REQUEST	-----	-----	CONFERENCE	-----
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
SAND CREEK WATERSHED, WAHOO, NE.....	---	546			---	546
WESTERN SARPY AND CLEAR CREEK, NE.....	---	318			---	318
NEVADA						
LAS VEGAS WASH, NORTH LAS VEGAS, NV.....	50	---			50	---
LOWER LAS VEGAS WASH WETLANDS, NV.....	50	---			350	---
TECHNICAL ASSISTANCE, TAHOE REGIONAL PLANNING, NV.....	---	---			150	---
TRUCKEE MEADOWS, NV.....	---	---			---	2,000
WALKER RIVER BASIN, NV.....	100	---			100	---
NEW HAMPSHIRE						
CONNECTICUT RIVER ECOSYSTEM RESTORATION, NH & VT.....	115	---			115	---
MERRIMACK RIVER BASIN, NH.....	400	---			400	---
PORTSMOUTH HARBOR & PISCATAQUA TURNING BASIN, NH.....	---	---			100	---
NEW JERSEY						
BARNEGAT BAY ECOSYSTEM RESTORATION, NJ.....	---	---			---	200
DELAWARE RIVER BASIN COMPREHENSIVE, NJ, NY, DE & PA...	50	---			200	---
GOFFLE BROOK, BOROUGH OF HAWTHORNE, NJ.....	25	---			50	---
GREAT EGG INLET TO TOWNSEND INLET, NJ.....	---	539			---	600
HUDSON - RARITAN ESTUARY, HACKENSACK MEADOWLANDS, NJ..	100	---			800	---
HUDSON - RARITAN ESTUARY, LOWER PASSAIC RIVER, NJ.....	25	---			400	---
MANASQUAN INLET TO BARNEGAT INLET, NJ.....	---	---			---	150

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	----- BUDGET REQUEST -----	----- CONFERENCE -----
	INVESTIGATIONS PLANNING INVESTIGATIONS PLANNING	
MID-DELAWARE RIVER BASIN COMPREHENSIVE, NJ, PA.....	---	100
NEW JERSEY INTRACOASTAL WATERWAY, ENVIRONMENTAL RESTOR	---	---
NEW JERSEY SHORE PROTECTION, HEREFORD TO CAPE MAY INLE	100	100
NEW JERSEY SHORELINE ALTERNATIVE LONG-TERM NOURISHMENT	100	150
PASSAIC RIVER, HARRISON, NJ.....	---	---
PASSAIC RIVER ENVIRONMENTAL RESTORATION.....	25	100
PECKMAN RIVER AND TRIBUTARIES, NJ.....	200	300
RAHWAY RIVER BASIN, NJ.....	150	150
RARITAN BAY AND SANDY HOOK BAY, HIGHLANDS, NJ.....	200	200
RARITAN BAY AND SANDY HOOK BAY, KEYPORT, NJ.....	200	200
RARITAN BAY AND SANDY HOOK BAY, LEONARDO, NJ.....	150	150
RARITAN BAY AND SANDY HOOK UNION BEACH, NJ.....	---	---
RARITAN BAY AND SANDY HOOK BAY, PORT MONMOUTH, NJ.....	---	---
SHREWSBURY RIVER AND TRIBUTARIES, NJ.....	150	150
SOUTH RIVER, RARITAN RIVER BASIN.....	---	---
STONY BROOK, MILLSTONE RIVER BASIN, NJ.....	200	200
UPPER ROCKAWAY RIVER, NJ.....	441	400
WOODBIDGE RIVER BASIN, NJ.....	150	175
NEW MEXICO		
EAST MESA, LAS CRUCES, NM.....	---	130
ESPANOLA VALLEY, RIO GRANDE AND TRIBUTARIES, NM.....	50	510
MIDDLE RIO GRANDE BOSQUE, NM.....	225	300
RIO GRANDE BASIN, NM, CO & TX.....	125	164
SANTA FE, NM.....	225	250

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
SOUTHWEST VALLEY FLOOD DAMAGE REDUCTION STUDY, ALBUQUE	---	---	---	250
NEW YORK				
BRONX RIVER BASIN, NY.....	50	---	50	---
BUFFALO RIVER ENVIRONMENTAL DREDGING, NY.....	52	---	75	---
EAST RIVER SEAWALL, QUEENS COUNTY, NY.....	---	---	100	---
EIGHTEENMILE CREEK, NIAGARA COUNTY, NY (GREAT LAKES RE	---	---	75	---
FLUSHING BAY & CREEK, NY.....	---	---	---	25
FREEPORT CREEK, VILLAGE OF FREEPORT, NY.....	25	---	25	---
GATEWAY POINT, NORTH TONAWANDA, NY.....	---	---	100	---
HUDSON - RARITAN ESTUARY, GOWANUS CANAL, NY & NJ.....	255	---	400	---
HUDSON - RARITAN ESTUARY, NY & NJ.....	685	---	1,000	---
HUDSON RIVER HABITAT RESTORATION, NY.....	25	---	25	25
JAMAICA BAY, MARINE PARK AND PLUMB BEACH, NY.....	147	---	147	---
LAKE MONTAUK HARBOR, NY.....	85	---	85	---
NEW YORK HARBOR ANCHORAGE AREAS, NY.....	---	---	---	50
NORTH SHORE OF LONG ISLAND, ASHAROKEN, NY.....	134	---	134	---
NORTH SHORE OF LONG ISLAND, BAYVILLE, NY.....	170	---	170	---
ONONDAGA LAKE, NY.....	307	---	800	---
SAW MILL RIVER AND TRIBUTARIES, NY.....	50	---	50	---
SOUTH SHORE OF STATEN ISLAND, NY.....	250	---	275	---
SUSQUEHANNA RIVER BASIN ENVIRONMENTAL RESTORATION AND.	---	---	150	---
TONAWANDA CREEK WATERSHED, NY.....	---	---	100	---
UPPER DELAWARE RIVER WATERSHED, NY.....	50	---	50	---
UPPER SUSQUEHANNA RIVER BASIN ENVIRON RESTORATION, NY.	200	---	200	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST INVESTIGATIONS	PLANNING	CONFERENCE	INVESTIGATIONS	PLANNING
NORTH CAROLINA					
BOGUE BANKS, NC.....	400	---	---	400	---
CURRITUCK SOUND, NC.....	150	---	---	150	---
DARE COUNTY BEACHES, HATTERAS AND OCRACOKE ISLANDS, NC	150	---	---	300	---
NEUSE RIVER BASIN, NC.....	100	---	---	100	---
SURF CITY AND NORTH TOPSAIL BEACH, NC.....	200	---	---	200	---
TAR RIVER BASIN, NC.....	100	---	---	100	---
OHIO					
ASHTABULA RIVER ENVIRONMENTAL DREDGING, OH.....	---	250	---	---	450
COLUMBUS METROPOLITAN AREA, OH.....	365	---	---	365	---
DUCK CREEK WATERSHED IN WASHINGTON, NOBLE, GUERNSEY &	---	---	---	100	---
HOCKING RIVER BASIN ENV RESTORATION, MONDAY CREEK, OH.	40	---	---	40	100
MAHONING RIVER ENVIRONMENTAL DREDGING, OH & PA.....	450	---	---	642	100
MUSKINGUM BASIN SYSTEM STUDY, OH.....	357	---	---	357	---
OHIO RIVERFRONT, CINCINNATI, OH.....	---	---	---	---	350
WESTERN LAKE ERIE BASIN, OH, IN & MI.....	130	---	---	200	---
WHEELING CREEK, OH.....	---	---	---	100	---
OKLAHOMA					
GRAND LAKE, OK.....	---	---	---	150	---
MIAMI AND VICINITY, OK.....	231	---	---	231	---
OOLOGAH LAKE WATERSHED, OK & KS.....	259	---	---	259	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
OREGON				
SOUTHEAST OKLAHOMA WATER RESOURCE STUDY, OK.....	50	---	50	---
SPAVINAW CREEK WATERSHED, OK & AR.....	---	---	100	---
WISTER LAKE WATERSHED, OK.....	---	---	100	---
WASHITA RIVER BASIN.....	---	---	100	---
PENNSYLVANIA				
AMAZON CREEK, OR.....	250	---	250	---
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR & WA...	250	---	250	---
TILLAMOOK BAY AND ESTUARY ECOSYSTEM RESTORATION, OR...	43	---	43	350
WALLA WALLA RIVER WATERSHED, OR & WA.....	439	---	439	---
WILLAMETTE RIVER BASIN REVIEW, OR.....	94	---	94	---
WILLAMETTE RIVER ENVIRONMENTAL DREDGING, OR.....	313	---	313	---
WILLAMETTE RIVER FLOODPLAIN RESTORATION, OR.....	210	---	210	---
PENNSYLVANIA				
CHRISTINA RIVER WATERSHED, PA, DE & MD.....	50	---	50	---
SCHUYLKILL ESTUARINE RIVER BASIN, PA.....	---	---	200	---
SCHUYLKILL RIVER, WISSAHICKON, PA.....	50	---	50	---
SUSQUEHANNA & DELAWARE RIVER BASIN (SOUTHERN ANTHRACIT	---	---	75	---
TOWN OF BLOOMSBURG LOCAL FLOOD PROTECTION PROJECT, PA.	---	---	65	---
UNAMI CREEK, PA.....	---	---	32	---
UPPER OHIO RIVER NAVIGATION SYSTEM STUDY, PA (EMSWORTH	---	---	600	---
UPPER SUSQUEHANNA RIVER BASIN, PA (PHASE II).....	180	---	180	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST INVESTIGATIONS	PLANNING	INVESTIGATIONS	CONFERENCE PLANNING
PUERTO RICO				
CANO MARTIN PENA, SAN JUAN, PR (ENVIRONMENTAL RESTORAT	---	---	---	200
RHODE ISLAND				
RHODE ISLAND ECOSYSTEM RESTORATION, RI.....	20	---	20	---
SOUTH CAROLINA				
ATLANTIC INTRACOASTAL WATERWAY, SC.....	430	---	430	---
BROAD RIVER BASIN, SC.....	100	---	100	---
EDISTO ISLAND, SC.....	---	---	100	---
PAWLEYS ISLAND, SC.....	---	---	---	100
REEDY RIVER, SC.....	170	---	170	---
SANTEE DELTA ENVIRONMENTAL RESTORATION, SC.....	75	---	75	---
WACCAMAW RIVER, SC.....	50	---	50	---
SOUTH DAKOTA				
JAMES RIVER, SD & ND.....	150	---	400	---
WATERTOWN & VICINITY, SD.....	---	---	---	473
TENNESSEE				
DAVIDSON COUNTY, TN.....	243	---	300	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
TEXAS				
ABILENE, TX (BRAZOS RIVER BASIN - ELM CREEK).....	---	---	200	---
BUFFALO BAYOU AND TRIBUTARIES, WHITE OAK BAYOU, TX....	100	---	575	---
BUFFALO BAYOU & TRIBUTARIES (MAINSTEM), TX.....	---	---	---	100
CEDAR BAYOU, TX.....	---	---	---	275
COLONIAS - LOWER RIO GRANDE BASIN, TX.....	---	---	---	300
CORPUS CHRISTI SHIP CHANNEL, TX.....	---	---	---	400
FREEPORT HARBOR, TX.....	250	---	250	---
FREEPORT HURRICANE PROTECTION LEVEE, TX.....	200	---	200	---
GIWW MODIFICATIONS, TX.....	350	---	350	---
GIWW, BRAZOS RIVER TO PORT O'CONNOR, TX.....	361	---	361	---
GIWW, HIGH ISLAND TO BRAZOS RIVER REALIGNMENTS, TX....	200	---	200	---
GIWW, VICINITY OF PORT ISABEL, (CAMERON COUNTY), TX....	---	---	200	---
GIWW, HIGH ISLAND TO BRAZOS RIVER, TX.....	---	315	---	315
GIWW, MATAGORDA BAY, TX.....	---	100	---	100
GIWW, PORT O'CONNOR TO CORPUS CHRISTI BAY, TX.....	400	---	400	---
GREENS BAYOU, HOUSTON, TX.....	---	774	---	774
GUADALUPE AND SAN ANTONIO RIVER BASINS, TX.....	150	---	500	---
HARRIS GULLY, HOUSTON, TX.....	---	---	100	---
LOWER COLORADO RIVER BASIN, TX.....	600	---	1,000	---
LOWER SABINE RIVER, TX & LA.....	---	---	100	---
MIDDLE BRAZOS RIVER, TX.....	50	---	300	---
MATAGORDA SHIP CHANNEL (PORT LAVACA), TX.....	---	---	350	---
NORTHWEST EL PASO, TX.....	300	---	300	---
NUECES RIVER AND TRIBUTARIES, TX.....	100	---	100	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
RAYMONDVILLE DRAIN, TX.....	---	---	---	650
RESACAS AT BROWNSVILLE, TX.....	300	---	300	---
RIO GRANDE BASIN, TX.....	---	---	100	---
RIVERSIDE OXBOW, UPPER TRINITY BASIN, FT WORTH, TX....	---	350	---	350
SABINE - NECHES WATERWAY, TX.....	300	---	325	---
SABINE PASS TO GALVESTON BAY, TX.....	450	---	450	---
SOUTH MAIN CHANNEL, TX.....	---	---	---	275
SPARKS ARROYO COLONIA, EL PASO COUNTY, TX.....	235	---	235	---
SULPHUR RIVER ENVIRONMENTAL RESTORATION, TX.....	50	---	50	---
TEXAS CITY CHANNEL, TX.....	---	---	---	800
TRI-COUNTY FLOOD STUDY, SAN ANTONIO RIVER, TX.....	100	---	300	---
UPPER TRINITY RIVER BASIN, TX.....	400	---	1,000	---
UNITED STATES VIRGIN ISLANDS				
CROWN BAY, ST. THOMAS, USVI.....	---	---	---	250
UTAH				
PROVO AND VICINITY, UT.....	100	---	100	---
VIRGINIA				
AIWW, BRIDGES AT DEEP CREEK, VA.....	---	694	---	1,000
DISMAL SWAMP & DISMAL SWAMP CANAL.....	---	---	100	---
ELIZABETH RIVER BASIN, ENV RESTORATION, VA (PHASE II).	200	---	200	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ELIZABETH RIVER, HAMPTON ROADS, VA.....	---	75	---	75
FOURMILE RUN, VA.....	150	---	150	---
GATHRIGHT DAM & LAKE MOOMAW, VA.....	---	---	150	---
JAMES RIVER CHANNEL, VA.....	---	---	---	150
JOHN H KERR DAM AND RESERVOIR, VA & NC (SECTION 216) ..	250	---	250	---
LYNNHAVEN RIVER BASIN, VA.....	300	---	300	---
NORFOLK HARBOR AND CHANNELS, CRANEY ISLAND, VA.....	56	---	56	---
PHILPOTT LAKE STUDY (SEC 216).....	---	---	100	---
POWELL RIVER WATERSHED, VA.....	197	---	197	---
VICINITY OF WILLOUGHBY SPIT, VA.....	---	---	---	100
WASHINGTON				
CENTRALIA, WA.....	---	---	---	100
CHEHALIS RIVER BASIN, WA.....	310	---	310	---
ELLIOTT BAY SEAWALL, SEATTLE, WA.....	---	---	400	---
LAKE WASHINGTON SHIP CANAL, WA.....	446	---	446	---
PUGET SOUND NEARSHORE MARINE HABITAT RESTORATION, WA..	350	---	350	---
SKAGIT RIVER, WA.....	350	---	750	---
STILLAGUAMISH RIVER BASIN, WA.....	---	---	---	100
WHITE RIVER FLOOD CONTROL AND ECOSYSTEM RESTORATION, W	250	---	250	---
WEST VIRGINIA				
LITTLE KANAWHA RIVER, WV.....	65	---	65	---
NEW RIVER BASIN, WV, NC & VA.....	130	---	130	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
	INVESTIGATIONS	PLANNING
SOUTH CHARLESTON PORT, WV.....	---	164
WISCONSIN		
BARABOO RIVER, WI.....	500	500
FOX RIVER, WI.....	100	100
MISCELLANEOUS		
COASTAL FIELD DATA COLLECTION.....	2,500	3,500
ENVIRONMENTAL DATA STUDIES.....	100	100
EX POST FACTO NATIONAL STUDY.....	2,000	---
FLOOD DAMAGE DATA.....	300	300
FLOOD PLAIN MANAGEMENT SERVICES.....	7,500	7,500
GREAT LAKES REMEDIAL ACTION PLAN.....	---	1,000
HYDROLOGIC STUDIES.....	400	400
INDEPENDENT REVIEW NATIONAL STUDY.....	3,000	---
INTERNATIONAL WATER STUDIES.....	400	400
NATIONAL SHORELINE.....	500	500
OTHER COORDINATION PROGRAMS.....	4,850	4,850
PLANNING ASSISTANCE TO STATES.....	6,000	6,500
PRECIPITATION STUDIES (NATIONAL WEATHER SERVICE).....	300	300
REMOTE SENSING/GEOGRAPHIC INFORMATION SYSTEM SUPPORT..	200	200
RESEARCH AND DEVELOPMENT.....	22,000	23,000
SCIENTIFIC AND TECHNICAL INFORMATION CENTERS.....	100	100
STREAM GAGING (U.S. GEOLOGICAL SURVEY).....	500	500

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS (AMOUNTS IN THOUSANDS)				
	----- BUDGET REQUEST INVESTIGATIONS	----- PLANNING	----- INVESTIGATIONS	----- CONFERENCE PLANNING
TRANSPORTATION SYSTEMS.....	500	---	500	---
TRI-SERVICE CADD/GIS TECHNOLOGY CENTER.....	450	---	450	---
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE.....	-20,400	---	-55,528	---
	=====	=====	=====	=====
TOTAL, GENERAL INVESTIGATIONS.....	89,989	10,011	87,382	29,567
	=====	=====	=====	=====

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE

ALABAMA		
DUCK RIVER WATER SUPPLY PROJECT, CULLMAN, AL.....	---	100
MOBILE HARBOR, AL.....	2,003	2,003
WALTER F GEORGE POWERHOUSE AND DAM, AL & GA (MAJOR REH	12,035	12,035
WALTER F GEORGE POWERPLANT, AL & GA (MAJOR REHAB).....	3,000	3,000
ALASKA		
DILLINGHAM EMERGENCY BANK, AK.....	---	4,000
DILLINGHAM SMALL BOAK, AK.....	---	3,000
KAKE DAM, AK.....	---	4,000
NOME HARBOR IMPROVEMENTS, AK.....	6,000	6,000
SAND POINT, AK.....	---	1,000
SEWARD, AK.....	---	1,000
SITKA, AK.....	---	1,000
ST PAUL HARBOR, AK.....	3,826	3,826
WRANGELL, AK.....	---	4,000
ARIZONA		
TUSCON DRAINAGE AREA, AZ.....	---	2,500
NOGALES WASH, AZ.....	---	1,200
RIO DE FLAG, FLAGSTAFF, AZ.....	---	3,500
RIO SALADO, PHOENIX AND TEMPE REACHES, AZ.....	11,600	17,000
TRES RIOS, AZ.....	---	5,000
ARKANSAS		
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR.	3,300	3,300
MONTGOMERY POINT LOCK AND DAM, AR.....	20,000	23,500
OZARK-JETA TAYLOR (POWERHOUSE, MAJOR REHAB), AR.....	---	2,000
RED RIVER BELOW DENISON DAM, AR, LA & TX.....	---	750
RED RIVER EMERGENCY BANK, AR & LA.....	---	1,250
CALIFORNIA		
AMERICAN RIVER WATERSHED (FOLSOM DAM MINI-RAISE), CA..	---	4,000
AMERICAN RIVER WATERSHED (FOLSOM DAM MODIFICATIONS), C	4,000	4,000
AMERICAN RIVER WATERSHED, CA.....	4,000	4,000
CAMBRIA SEAWATER DESALINIZATION INFRASTRUCTURE, CA....	---	500
CITY OF SANTA CLARITA, CA.....	---	500
CORTE MADERA CREEK FLOOD CONTROL.....	---	125
COYOTE & BERRYESSA CREEKS, CA.....	---	250
FARMINGTON RECHARGE DEMONSTRATION PROJECT, CA.....	---	1,000
GUADALUPE RIVER, CA.....	13,000	14,000
HARBOR/SOUTH BAY WATER RECYCLING PROJECT, LOS ANGELES.	---	4,500
HAMILTON AIRFIELD WETLANDS RESTORATION, CA.....	2,000	3,000
IMPERIAL BEACH (SILVER STRAND BEACH RESTORATION PROJEC	---	300
KAWEAH RIVER, CA.....	8,400	8,400
MARYSVILLE/YUBA CITY LEVEE RECONSTRUCTION, CA.....	500	750
MERCED COUNTY STREAMS, CA.....	---	200
MID-VALLEY AREA LEVEE RECONSTRUCTION, CA.....	500	500
MURRIETA CREEK, CA (FLOOD CONTROL PROJECT).....	---	1,000
NAPA RIVER, CA.....	7,500	10,000
NORTH VALLEY REGIONAL WATER INFRASTRUCTURE (CITY OF LA	---	2,500
OAKLAND HARBOR (50 FOOT PROJECT), CA.....	7,000	20,000
PETALUMA RIVER, CA.....	2,000	7,300
PORT OF LOS ANGELES, CA (MAIN CHANNEL DEEPENING).....	---	15,000
SACRAMENTO AREA.....	---	8,600
SACRAMENTO RIVER BANK PROTECTION PROJECT, CA.....	2,000	2,000
SACRAMENTO RIVER DEEP WATER SHIP CHANNEL.....	---	250
SAN FRANCISCO BAY TO STOCKTON, CA.....	---	750
SAN RAMON VALLEY RECYCLED WATER PROJECT, CA.....	---	750
SANTA ANA RIVER MAINSTEM, CA.....	15,700	22,500
SOUTH PERRIS, CA (WATER SUPPLY DESALINIZATION).....	---	750

CONSTRUCTION GENERAL
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SOUTH SACRAMENTO COUNTY STREAMS, CA.....	2,100	3,500
STOCKTON METROPOLITAN FLOOD CONTROL REIMBURSEMENT, CA.....	500	500
SUCCESS DAM, TULE RIVER, CA (DAM SAFETY).....	1,000	1,000
TULE RIVER, CA.....	1,600	1,850
UPPER NEWPORT BAY, CA.....	---	500
UPPER SACRAMENTO AREA LEVEE RECONSTRUCTION, CA.....	1,000	1,500
YUBA RIVER BASIN PROJECT, CA.....	---	750
DELAWARE		
DELAWARE BAY COASTLINE, BETHANY TO SOUTH BETHANY, DE..	---	500
DELAWARE BAY COASTLINE, DE & NJ - PT. MAHON, DE.....	---	750
DELAWARE BAY COASTLINE, ROOSEVELT INLET TO LEWES BEACH	2,008	2,008
DELAWARE COAST, CAPE HENLOPEN TO FENWICK ISLAND, DE...	---	214
DELAWARE COAST PROTECTION, DE.....	285	285
DELAWARE COAST, REHOBOTH BEACH TO DEWEY BEACH, DE.....	5,768	5,768
FLORIDA		
BREVARD COUNTY SHORE PROTECTION, FL.....	---	250
BROWARD COUNTY SHORE PROTECTION, FL.....	---	1,500
CANAVERAL HARBOR, FL.....	2,000	2,500
CENTRAL AND SOUTHERN FLORIDA, FL.....	112,498	105,000
DADE COUNTY (BEACH EROSION CONTROL & HURRICANE PROTECT	---	1,000
DUVAL COUNTY SHORE PROTECTION PROJECT, FL.....	---	500
EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	14,835	14,835
FLORIDA KEYS WATER QUALITY IMPROVEMENTS, FL.....	---	500
FORT PIERCE BEACH, FL.....	---	750
HERBERT HOOVER DIKE, FL (MAJOR REHAB).....	1,000	1,000
JACKSONVILLE HARBOR, FL.....	2,000	2,500
JIM WOODRUFF LOCK AND DAM POWERHOUSE, FL & GA (MAJOR R	873	873
KISSIMMEE RIVER, FL.....	17,706	17,706
LEE COUNTY(SHORE PROTECTION, ALL ELEMENTS), FL.....	---	1,000
MANATEE HARBOR, FL.....	---	1,500
MARTIN COUNTY, FL.....	---	300
MIAMI HARBOR CHANNEL, FL.....	2,700	2,700
PALM BEACH COUNTY (DELRAY BEACH, JUPITER/CARLIN CENTRA	---	1,500
PINELLAS COUNTY, FL.....	---	2,500
PONCE DE LEON INLET, SOUTH JETTY, FL.....	---	500
PORT EVERGLADES, FL - (SOUTHPORT CHANNEL & TURNING NOT	---	600
SARASOTA COUNTY (CITY OF VENICE SEGMENT), FL.....	---	1,000
TAMPA HARBOR, FL.....	---	2,500
TAMPA HARBOR - ALAFIA RIVER, FL.....	---	7,000
TAMPA HARBOR (BIG BEND CHANNEL), FL.....	---	4,000
GEORGIA		
BRUNSWICK HARBOR, GA.....	4,500	7,200
BUFORD POWERHOUSE, GA (MAJOR REHAB).....	3,000	3,000
OATES CREEK, RICHMOND COUNTY, GA (DEF CORR).....	500	500
RICHARD B RUSSELL DAM AND LAKE, GA & SC.....	4,328	8,678
THURMOND LAKE POWERHOUSE, GA & SC (MAJOR REHAB).....	5,500	5,500
TYBEE ISLAND SHORE PROTECTION, GA.....	---	150
HAWAII		
HAWAII WATER MANAGEMENT, HI.....	---	750
IAO STREAM FLOOD CONTROL, HI.....	---	175
KAUMALAPAU HARBOR (ISLAND OF LANAI), HI.....	---	2,500
KIKIAOLA SMALL BOAT HARBOR, KAUAI, HI.....	3,633	3,633
MAALAEA HARBOR, MAUI, HI.....	191	191
IDAHO		
RURAL IDAHO.....	---	4,450

CONSTRUCTION GENERAL
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ILLINOIS		
CHAIN OF ROCKS CANAL, MISSISSIPPI RIVER, IL (DEF CORR)	2,300	2,300
CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIER, IL.	500	700
CHICAGO SHORELINE, IL.....	24,000	24,500
DES PLAINES RIVER, IL (PHASE I).....	---	250
EAST ST LOUIS, IL.....	815	815
EAST ST. LOUIS & VICINITY INTERIOR FLOOD CONTROL, IL..	---	200
COOK COUNTY ENVIRONMENTAL INFRASTRUCTURE, IL.....	---	350
GREAT LAKES FISHERY & ECO REST, IL, IN, MI, MN, OH, PA	---	700
ILLINOIS RIVER BASIN RESTORATION, IL.....	---	1,500
LOCK AND DAM 24, MISSISSIPPI RIVER, IL & MO (MAJOR REH	13,000	15,000
LOVES PARK, IL.....	5,785	5,785
MADISON & ST. CLAIR COUNTIES, IL (ENVIRONMENTAL INFRAS	---	850
MCCOOK AND THORNTON RESERVOIRS, IL.....	18,000	19,500
MELVIN PRICE LOCK AND DAM, IL & MO.....	600	600
NUTWOOD DRAINAGE AND LEVEE DISTRICT, IL.....	---	200
OLMSTED LOCKS AND DAM, OHIO RIVER, IL & KY.....	73,000	63,000
UPPER MISS RVR SYSTEM ENV MGMT PROGRAM, IL, IA, MN, MO	33,320	19,000
WOOD RIVER DRAINAGE AND LEVEE DISTRICT, IL.....	---	100
INDIANA		
CALUMET REGION ENVIRON INFRASTRUCTURE, IN.....	---	3,000
GRAND CALUMET RIVER REMEDIAL ACTION PLAN, IN.....	---	150
INDIANAPOLIS, ENVIRONMENTAL INFRASTRUCTURE PLANNING (C	---	1,000
INDIANA HARBOR (CONFINED DISPOSAL FACILITY), IN.....	5,700	7,000
INDIANA SHORELINE (DUNES), IN.....	---	1,000
INDIANAPOLIS, WHITE RIVER (NORTH), IN.....	2,600	2,600
JOHN T. MYERS LOCKS AND DAM, IN.....	---	500
LITTLE CALUMET RIVER BASIN (CADDY MARSH DITCH), IN.....	---	4,500
LITTLE CALUMET RIVER, IN.....	3,800	4,000
MISSISSINNEWA LAKE, IN (MAJOR REHAB).....	21,000	21,000
OHIO RIVER GREENWAY PUBLIC ACCESS, IN.....	1,000	1,000
OHIO RIVER FLOOD PROTECTION, IN (INDIANA SHORELINE)...	---	650
IOWA		
DES MOINES RECREATION RIVER & GREENBELT, IA.....	---	3,217
LOCK AND DAM 11, MISSISSIPPI RIVER, IA (MAJOR REHAB)..	1,313	1,313
LOCK AND DAM 19, MISSISSIPPI RIVER, IA (MAJOR REHAB)..	---	750
MISSOURI RIVER FISH AND WILDLIFE MITIGATION, IA, NE, K	22,000	18,000
MISSOURI RIVER LEVEE SYSTEM, IA, NE, KS & MO.....	7,000	11,500
PERRY CREEK, IA.....	2,200	2,200
KANSAS		
ARKANSAS CITY, KS.....	2,600	2,600
TURKEY CREEK BASIN, KS & MO.....	---	500
KENTUCKY		
DEWEY LAKE, KY (DAM SAFETY).....	1,946	1,946
KENTUCKY LOCK AND DAM, TENNESSEE RIVER, KY.....	24,866	29,866
KENTUCKY RIVER LOCK AND DAM 10, KY.....	---	500
LOUISVILLE WATERFRONT PARK, PHASE II & PHASE III, KY..	---	750
MCALPINE LOCKS AND DAM, OHIO RIVER, KY & IN.....	26,100	35,000
METROPOLITAN LOUISVILLE, BEARGRASS CREEK, KY.....	1,400	1,400
METROPOLITAN LOUISVILLE, POND CREEK, KY.....	2,500	2,500
SOUTHERN & EASTERN KY.....	---	2,500
LOUISIANA		
ASCENSION PARISH ENVIRONMENTAL INFRASTRUCTURE, LA.....	---	400
COMITE RIVER, LA.....	2,000	3,500
EAST BATON ROUGE, LA ENVIRONMENTAL INFRASTRUCTURE.....	---	750

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EAST BATON ROUGE, LA FLOOD CONTROL PROJECT.....	---	250
GRAND ISLE & VICINITY, LA.....	---	150
IBERIA PARISH ENVIRONMENTAL INFRASTRUCTURE, LA.....	---	100
INNER HARBOR NAVIGATION CANAL LOCK, LA.....	7,000	12,000
J BENNETT JOHNSTON WATERWAY, LA.....	13,700	15,600
LAKE PONTCHARTRAIN AND VICINITY, LA (HURRICANE PROTECT	3,000	5,500
LAROSE TO GOLDEN MEADOW, LA (HURRICANE PROTECTION)....	461	461
LIVINGSTON PARISH ENVIRONMENTAL INFRASTRUCTURE, LA....	---	600
MISSISSIPPI RIVER-GULF OUTLET, LA (REEVALUATION STUDY)	---	813
MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, L	196	196
NEW ORLEANS TO VENICE, LA (HURRICANE PROTECTION).....	2,000	2,000
OUACHITA RIVER LEVEES, LA.....	---	1,000
SOUTHEAST LOUISIANA, LA.....	16,500	34,000
WEST BANK AND VICINITY, NEW ORLEANS, LA.....	35,000	28,500
MARYLAND		
ASSATEAGUE ISLAND, MD.....	1,003	1,003
ATLANTIC COAST OF MARYLAND, MD.....	500	500
CHESAPEAKE BAY ENVIRO. RES. & PROTECTION, MD & VA....	---	1,000
CHESAPEAKE BAY OYSTER RECOVERY, MD & VA.....	3,000	4,000
CUMBERLAND, MD.....	---	3,000
POPLAR ISLAND, MD.....	14,101	14,101
MASSACHUSETTS		
CAPE COD CANAL RAILROAD BRIDGE, MA (MAJOR REHAB).....	9,895	9,895
MUDDY RIVER, BOSTON AND BROOKLINE, MA.....	---	1,000
MICHIGAN		
GENESEE COUNTY, MI (WASTEWATER INFRASTRUCTURE ASSIST)..	---	800
NEGAUNEE, MI (ENVIRONMENTAL INFRASTRUCTURE).....	---	200
SAULT STE MARIE REPLACEMENT LOCK, MI.....	---	2,500
TWELVE TOWNS (GEORGE W. KUHN) DRAIN RETENTION TREATMEN	---	388
MINNESOTA		
BRECKENRIDGE, MN.....	---	1,000
CROOKSTON, MN.....	1,043	1,043
LOCK AND DAM 3, MISSISSIPPI RIVER, MN (MAJOR REHAB)...	600	600
LOWER ST. ANTHONY FALLS RAPIDS RESTORATION, MINNEAPOLI	---	750
MILLE LACS REGIONAL SEWAGE TREATMENT PLANT, MN.....	---	750
NORTHEASTERN MINNESOTA, MN.....	---	500
UPPER MISSISSIPPI RIVER, MISSISSIPPI PLACE, ST PAUL,MN	---	250
MISSISSIPPI		
GULFPORT HARBOR, MS.....	---	2,000
DESOTO COUNTY, WASTEWATER TREATMENT, MS.....	---	9,000
MISSISSIPPI ENVIRON. INFRASTRUCTURE (SEC. 592), MS....	---	5,500
PASCAGOULA HARBOR, MS.....	2,989	2,989
MISSOURI		
BLUE RIVER BASIN, KANSAS CITY, MO.....	2,000	2,000
BLUE RIVER CHANNEL, KANSAS CITY, MO.....	6,000	8,500
BOIS BRULE LEVEE & DRAINAGE DISTRICT, MO.....	---	1,200
CAPE GIRARDEAU (FLOODWALL), MO.....	---	500
CHESTERFIELD, MO.....	---	89
MERAMEC RIVER BASIN, VALLEY PARK LEVEE, MO.....	2,000	2,750
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	1,700	1,700
MISSOURI AND MIDDLE MISSISSIPPI RIVERS ENHANCEMENT, MO	---	2,000
STE GENEVIEVE, MO.....	150	150
ST. LOUIS, MO (COMBINED SEWER OVERFLOWS PROJECT).....	---	1,000
TABLE ROCK LAKE, MO & AR (DAM SAFETY).....	5,000	5,000

CONSTRUCTION GENERAL
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MONTANA		
FORT PECK FISH HATCHERY, MT.....	---	7,000
RURAL MONTANA.....	---	3,000
NEBRASKA		
SAND CREEK WATERSHED, NE.....	---	500
WESTERN SARPY AND CLEAR CREEK, NE.....	---	500
ANTELOPE CREEK, LINCOLN, NE.....	---	1,500
MISSOURI NATIONAL RECREATIONAL RIVER, NE & SD.....	1,000	1,000
WOOD RIVER, GRAND ISLAND, NE.....	1,082	1,082
NEVADA		
RURAL NEVADA.....	---	9,000
TROPICANA AND FLAMINGO WASHES, NV.....	23,300	26,300
NEW HAMPSHIRE		
LEBANON, NH (CSOS).....	---	750
NASHUA, NH (CSOS).....	---	750
NEW JERSEY		
BARNEGAT TO LITTLE EGG HARBOR INLET, NJ.....	---	1,000
BRIGANTINE INLET TO GREAT EGG INLET (ABSECON ISLAND),..	1,000	2,500
BRIGANTINE INLET TO GREAT EGG HARBOR INLET (BRIGANTINE	---	500
CAPE MAY INLET TO LOWER TOWNSHIP, NJ.....	1,728	1,728
DELAWARE BAY COASTLINE, DE & NJ, REEDS BEACH TO PIERCE	---	750
DELAWARE BAY COASTLINE, VILLAS & VICINITY, NJ.....	---	500
DELAWARE RIVER MAIN CHANNEL, NJ, PA & DE.....	300	9,000
GREAT EGG HARBOR INLET AND PECK BEACH, NJ.....	7,355	7,355
HACKENSACK MEADOWLANDS, NJ.....	---	100
LOWER CAPE MAY MEADOWS, CAPE MAY POINT, NJ.....	1,841	2,000
PASSAIC RIVER FLOOD MANAGEMENT, NJ.....	---	500
PASSAIC RIVER PRESERVATION OF NATURAL STORAGE AREAS, N	1,000	2,000
PASSAIC RIVER STEAMBANK RESTORATION, (MINISH PARK), NJ	---	1,000
RAMAPO & MAHWAY RIVERS, MAHWAH, NJ & SUFFERN, NY.....	---	400
RARITAN BAY AND SANDY HOOK BAY, NJ.....	100	100
RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NJ.....	6,488	7,000
SANDY HOOK TO BARNEGAT INLET, NJ.....	3,000	3,000
TOWN OF NEWTON, NJ (WATER SUPPLY FILTRATION PLANT)....	---	300
TOWNSENDS INLET TO CAPE MAY INLET, NJ.....	9,200	9,200
NEW MEXICO		
ACEQUIAS IRRIGATION SYSTEM, NM.....	1,800	2,500
ALAMOGORDO, NM.....	3,500	4,100
RIO GRANDE FLOODWAY, SAN ACACIA TO BOSQUE DEL APACHE,..	---	600
CENTRAL, NM.....	---	5,000
MIDDLE RIO GRANDE FLOOD PROTECTION, BERNALILLO TO BELE	---	600
NEW YORK		
ATLANTIC COAST OF NYC, ROCKAWAY INLET TO NORTON POINT,	1,750	1,750
EAST ROCKAWAY INLET TO ROCKAWAY INLET AND JAMAICA BAY,	1,250	1,250
FIRE ISLAND INLET TO JONES INLET, NY.....	2,700	3,000
FIRE ISLAND INLET TO MONTAUK POINT, NY.....	3,800	3,800
NEW YORK AND NEW JERSEY HARBOR, NY & NJ.....	115,000	110,000
NEW YORK STATE CANAL SYSTEM, NY.....	---	750
NORTH CAROLINA		
BRUNSWICK COUNTY BEACHES, NC.....	2,040	2,040
CAROLINA BEACH AND VICINITY, NC.....	3,510	3,510

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DARE COUNTY BEACHES, BODIE ISLAND, NC.....	---	1,000
STANLY COUNTY WASTEWATER INFRASTRUCTURE, NC.....	---	350
WEST ONSLOW BEACH & NEW RIVER INLET, NC (GRR).....	---	150
WILMINGTON HARBOR, NC.....	9,650	17,500
NORTH DAKOTA		
BUFORD - TRENTON IRRIGATION DISTRICT LAND ACQUISITION,	1,518	2,000
GARRISON DAM AND POWER PLANT, ND (MAJOR REHAB).....	6,500	6,500
GRAFTON, PARK RIVER, ND.....	---	750
GRAND FORKS, ND - EAST GRAND FORKS, MN.....	23,496	36,000
MISSOURI RIVER RESTORATION, ND.....	---	50
SHEYENNE RIVER, ND.....	3,367	3,367
OHIO		
HOLES CREEK, WEST CARROLLTON, OH.....	---	2,000
METROPOLITAN REGION OF CINCINNATI, DUCK CREEK, OH.....	8,500	8,500
MILL CREEK, OH.....	3,900	3,900
WEST COLUMBUS, OH.....	1,800	1,800
OHIO ENVIRONMENTAL INFRASTRUCTURE.....	---	17,000
OTTAWA RIVER HARBOR, OH.....	---	75
OKLAHOMA		
CANTON LAKE, OK (DAM SAFETY).....	---	1,500
LAWTON, OK, WASTEWATER INFRASTRUCTURE REHABILITATION P	---	1,000
TAR CREEK CLEANUP, OK.....	---	5,000
TENKILLER FERRY LAKE, OK (DAM SAFETY).....	4,400	4,400
OREGON		
BONNEVILLE POWERHOUSE PHASE II, OR & WA (MAJOR REHAB).	3,363	5,000
COLUMBIA RIVER CHANNEL IMPROVEMENTS, OR & WA.....	---	3,500
COLUMBIA RIVER TREATY FISHING ACCESS SITES, OR & WA...	2,900	2,900
ELK CREEK LAKE, OR.....	500	500
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR & WA...	2,000	2,000
WILLAMETTE RIVER TEMPERATURE CONTROL, OR.....	10,000	10,000
PENNSYLVANIA		
3 RIVERS WET WEATHER DEMONSTRATION PROJECT, PA.....	---	750
CONEMAUGH RIVER, NANTY GLO ENVIRONMENTAL RESTORATION P	---	1,000
LOCKS AND DAMS 2, 3 AND 4, MONONGAHELA RIVER, PA.....	35,000	37,500
NORTHEAST PENNSYLVANIA INFRASTRUCTURE PROGRAM, PA.....	---	1,000
PRESQUE ISLE PENINSULA, PA (PERMANENT).....	600	600
SCHUYKILL RIVER PARK, PA.....	---	750
SOUTH CENTRAL PENNSYLVANIA ENVIRONMENT IMPROVEMENT PRO	---	11,000
SOUTHEASTERN PENNSYLVANIA (SEC. 566, WRDA 1996), CITY.	---	500
WYOMING VALLEY, PA (LEEVE RAISING).....	10,021	10,021
PUERTO RICO		
ARECIBO RIVER, PR.....	1,000	1,000
PORTUGUES AND BUCANA RIVERS, PR.....	5,200	4,000
RIO DE LA PLATA, PR.....	1,100	1,100
RIO PUERTO NUEVO, PR.....	16,500	12,000
SOUTH CAROLINA		
CHARLESTON HARBOR, SC (DEEPENING & WIDENING).....	5,000	5,000
FOLLY BEACH, SC.....	---	200
LAKES MARION AND MOULTRIE, SC.....	---	350

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SOUTH DAKOTA		
BIG SIOUX RIVER, SIOUX FALLS, SD.....	6,000	6,000
CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX, SD.....	2,800	9,000
MISSOURI RIVER RESTORATION, SD.....	---	500
PIERRE, SD.....	4,300	6,000
TENNESSEE		
BLACK FOX, MURFREE, & OAKLAND SPRINGS WETLANDS, MURFRE	---	1,072
CHICKAMAUGA LOCK, TN.....	---	5,400
CUMBERLAND COUNTY WATER SUPPLY, TN.....	---	1,250
TEXAS		
BRAYS BAYOU, HOUSTON, TX.....	4,700	6,000
CHANNEL TO VICTORIA, TX.....	2,966	2,966
CLEAR CREEK, TX.....	---	1,200
DALLAS FLOODWAY EXTENSION, TX.....	---	9,280
EL PASO, TX.....	2,800	2,800
HOUSTON - GALVESTON NAVIGATION CHANNELS, TX.....	18,726	35,500
HUNTING BAYOU, TX.....	---	750
JOHNSON CREEK, UPPER TRINITY BASIN, ARLINGTON, TX.....	2,200	2,200
MOUTH OF COLORADO RIVER, TX.....	---	100
NECHES RIVER AND TRIBUTARIES SALTWATER BARRIER, TX....	4,108	4,108
NORTH PADRE ISLAND, PACKERY CHANNEL, TX.....	---	3,000
RED RIVER CHLORIDE CONTROL PROJECT, WICHITA RIVER BASI	---	1,500
SALT CREEK, GRAHAM, TX.....	---	750
SAN ANTONIO CHANNEL IMPROVEMENT, TX.....	---	1,000
SIMS BAYOU, HOUSTON, TX.....	12,000	12,000
WACO LAKE (AIRPORT PARK), TX.....	---	1,000
WHITNEY LAKE (MAJOR REHAB), TX.....	---	500
VERMONT		
LAKE CHAMPLAIN WATERSHED INITIATIVE, VT.....	---	500
VIRGINIA		
AIWW, BRIDGE AT GREAT BRIDGE, VA.....	9,706	9,706
EMBREY DAM, VA.....	---	2,500
ENVIRONMENTAL REMEDIATION, FRONT ROYAL, VA (AVTEX)....	---	5,000
JAMES RIVER, VA (TURNING BASIN).....	---	1,000
JOHN H KERR DAM AND RESERVOIR, VA & NC (MAJOR REHAB)..	6,000	6,000
LAKE MERRIWEATHER, LITTLE CALFPASTURE (GOSHEN DAM), VA	---	2,000
LYNCHBURG (COMBINED SEWER OVERFLOWS, VA.....	---	500
NORFOLK HARBOR DEEPENING, VA.....	---	3,000
OCCOQUAN RIVER, VA.....	---	710
RICHMOND (COMBINED SEWER OVERFLOWS, VA.....	---	500
ROANOKE RIVER UPPER BASIN, HEADWATERS AREA, VA.....	2,000	2,000
VIRGINIA BEACH, VA (HURRICANE PROTECTION).....	2,294	2,294
WASHINGTON		
CHIEF JOSEPH DAM GAS ABATEMENT, WA.....	900	2,500
COLUMBIA RIVER FISH MITIGATION, WA, OR & ID.....	95,000	85,000
DUWAMISH AND GREEN RIVERS, WA.....	---	500
HOWARD HANSON DAM ECOSYSTEM RESTORATION, WA.....	9,500	10,000
LOWER SNAKE RIVER FISH & WILDLIFE COMPENSATION, WA, OR	2,000	2,000
MT ST HELENS SEDIMENT CONTROL, WA.....	200	550
MUD MOUNTAIN DAM, WA (DAM SAFETY).....	1,400	1,400
PUGET SOUND & ADJACENT WATERS RESTORATION, WA.....	---	1,000
SHOALWATER BAY SHORELINE EROSION, WA.....	---	1,000
SNAKE RIVER INTERPRETIVE CENTER, CLARKSTON, WA.....	---	500
THE DALLAS POWERHOUSE (UNITS 1-14), WA & OR (MAJOR REH	250	250

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE

WEST VIRGINIA		
BLUESTONE LAKE, WV (DAM SAFETY).....	2,600	4,300
GREENBRIAR RIVER, WV.....	---	2,500
CENTRAL WEST VIRGINIA ENVIRONMENTAL INFRASTRUCTURE....	---	1,000
LEvisa AND TUG FORKS AND UPPER CUMBERLAND RIVER, WV, V	15,000	55,800
LOWER MUD RIVER, MILTON, WV.....	---	750
MARMET LOCK, KANAWHA RIVER, WV.....	52,154	65,200
ROBERT C BYRD LOCKS AND DAM, OHIO RIVER, WV & OH.....	2,500	2,500
SOUTHERN WEST VIRGINIA ENVIRONMENTAL INFRASTRUCTURE...	---	2,000
WINFIELD LOCKS AND DAM, KANAWHA RIVER, WV.....	2,000	2,000
WYOMING		
JACKSON HOLE, WY.....	---	250
WISCONSIN		
NORTHERN WISCONSIN ENVIRONMENTAL ASSISTANCE.....	---	10,000
MISCELLANEOUS		
ABANDONED/INACTIVE NONCOAL MINE RESTORATION.....	---	1,000
AQUATIC ECOSYSTEM RESTORATION (SECTION 206).....	10,000	18,050
AQUATIC PLANT CONTROL PROGRAM.....	3,000	4,000
BENEFICIAL USES OF DREDGED MATERIAL	3,000	6,000
DAM SAFETY AND SEEPAGE/STABILITY CORRECTION PROGRAM...	8,000	14,000
DREDGED MATERIAL DISPOSAL FACILITIES PROGRAM.....	7,000	7,000
EMERGENCY STREAMBANK & SHORELINE PROTECTION (SEC. 14).	7,000	9,000
EMPLOYEES' COMPENSATION.....	19,130	19,130
ESTUARY RESTORATION PROGRAM (PL 106-457).....	---	1,500
FLOOD CONTROL PROJECTS (SECTION 205).....	20,000	30,000
INLAND WATERWAYS USERS BOARD - BOARD EXPENSE.....	45	45
INLAND WATERWAYS USERS BOARD - CORPS EXPENSE.....	185	185
NAVIGATION MITIGATION PROJECT (SECTION 111).....	500	1,500
NAVIGATION PROJECTS (SECTION 107).....	6,000	9,000
PROJECT MODIFICATIONS FOR IMPROVEMENT OF THE ENVIRONME	14,000	17,000
SHORELINE EROSION CONTROL DEVELOPMENT AND DEMONSTRATIO	6,000	6,000
SHORELINE PROTECTION PROJECTS (SECTION 103).....	3,500	3,500
SNAGGING AND CLEARING PROJECT (SECTION 208).....	500	500
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE.....	-116,095	-270,430
	=====	=====
TOTAL, CONSTRUCTION GENERAL.....	1,350,000	1,722,319
	=====	=====

FLOOD CONTROL - MISSISSIPPI RIVER AND TRIBUTARIES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE

GENERAL INVESTIGATIONS		
BAYOU METO, AR.....	---	500
SOUTHEAST ARKANSAS, AR.....	---	250
ALEXANDRIA TO THE GULF, LA.....	435	435
DONALDSONVILLE TO THE GULF, LA.....	800	850
SPRING BAYOU, LA.....	500	500
TENSAS RIVER BASIN, LA.....	---	200
COLDWATER RIVER BASIN BELOW ARKABUTLA LAKE, MS.....	185	300
FLETCHER CREEK, TN.....	120	120
GERMANTOWN, TN.....	51	61
MEMPHIS HARBOR, MEMPHIS, TN.....	---	150
MILLINGTON AND VICINITY, TN.....	84	84
MORGANZA TO THE GULF, LA.....	3,487	4,200
COLLECTION AND STUDY OF BASIC DATA.....	695	695
	-----	-----
SUBTOTAL, GENERAL INVESTIGATIONS.....	6,357	8,345
CONSTRUCTION		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN.....	39,562	41,742
FRANCIS BLAND FLOODWAY DITCH (EIGHT MILE CREEK), AR...	2,050	2,050
HELENA AND VICINITY, AR.....	2,180	2,180
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN.	42,919	47,000
ST FRANCIS BASIN, AR & MO.....	2,365	5,000
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA.....	7,768	7,768
ATCHAFALAYA BASIN, LA.....	14,075	15,000
MISSISSIPPI DELTA REGION, LA.....	3,200	3,200
MISSISSIPPI AND LOUISIANA ESTUARINE AREAS, LA & MS....	---	30
ST. JOHNS BAYOU & NEW MADRID FLOODWAY, MO.....	---	4,000
HORN LAKE CREEK & TRIBUTARIES, MS & TN.....	---	300
YAZOO BASIN:	(7,740)	(23,555)
BACKWATER PUMP, MS.....	---	12,000
BIG SUNFLOWER RIVER, MS.....	890	950
MAIN STEM, MS.....	---	25
REFORMULATION UNIT, MS.....	---	375
TRIBUTARIES, MS.....	205	205
UPPER YAZOO PROJECTS, MS.....	6,645	10,000
DELTA HEADWATERS PROJECT, MS (FORMERLY DEMONSTRATION E	---	15,500
NONCONNAH CREEK, TN & MS.....	2,618	3,100
WEST TENNESSEE TRIBUTARIES, TN.....	---	100
WOLF RIVER (RESTORATION), TN.....	---	1,000
	-----	-----
SUBTOTAL, CONSTRUCTION.....	124,477	171,525
MAINTENANCE		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN.....	69,688	69,688
HELENA HARBOR, PHILLIPS COUNTY, AR.....	370	370
INSPECTION OF COMPLETED WORKS, AR.....	466	466
LOWER ARKANSAS RIVER, NORTH BANK, AR.....	105	105
LOWER ARKANSAS RIVER, SOUTH BANK, AR.....	135	135
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN.	6,340	11,000
ST FRANCIS BASIN, AR & MO.....	7,505	9,000
TENSAS BASIN, BOEUF AND TENSAS RIVERS, AR & LA.....	2,400	2,400
WHITE RIVER BACKWATER, AR.....	1,290	1,290
INSPECTION OF COMPLETED WORKS, IL.....	50	50
INSPECTION OF COMPLETED WORKS, KY.....	35	35
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA.....	2,450	2,450
ATCHAFALAYA BASIN, LA.....	13,335	13,335
BATON ROUGE HARBOR, DEVIL SWAMP, LA.....	15	175
BAYOU COCODRIE AND TRIBUTARIES, LA.....	85	85
BONNET CARRE, LA.....	1,975	1,975
INSPECTION OF COMPLETED WORKS, LA.....	550	550
LOWER RED RIVER, SOUTH BANK LEVEES, LA.....	2,207	2,207
MISSISSIPPI DELTA REGION, LA.....	910	910

FLOOD CONTROL - MISSISSIPPI RIVER AND TRIBUTARIES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE

OLD RIVER, LA.....	9,915	9,915
TENSAS BASIN, RED RIVER BACKWATER, LA.....	3,425	3,425
GREENVILLE HARBOR, MS.....	30	200
INSPECTION OF COMPLETED WORKS, MS.....	296	296
VICKSBURG HARBOR, MS.....	35	250
YAZOO BASIN:	(32,050)	(36,465)
ARKABUTLA LAKE, MS.....	6,300	7,000
BIG SUNFLOWER RIVER, MS.....	170	2,000
ENID LAKE, MS.....	5,505	5,700
GREENWOOD, MS.....	650	750
GRENADA LAKE, MS.....	6,170	6,500
MAIN STEM, MS.....	1,480	2,200
SARDIS LAKE, MS.....	8,630	9,000
TRIBUTARIES, MS.....	1,135	1,135
WILL M WHITTINGTON AUX CHAN, MS.....	470	470
YAZOO BACKWATER AREA, MS.....	730	900
YAZOO CITY, MS.....	810	810
INSPECTION OF COMPLETED WORKS, MO.....	167	167
WAPPAPELLO LAKE, MO.....	4,265	5,000
INSPECTION OF COMPLETED WORKS, TN.....	101	101
MEMPHIS HARBOR, MCKELLAR LAKE, TN.....	1,010	1,010
MAPPING.....	1,235	1,235
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SUBTOTAL, MAINTENANCE.....	162,440	174,290
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE.....	-13,274	-29,938
	=====	=====
TOTAL, FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES.....	280,000	324,222
	=====	=====

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE

ALABAMA		
ALABAMA - COOSA COMPREHENSIVE WATER STUDY, AL.....	285	285
ALABAMA - COOSA RIVER, AL.....	2,961	4,000
BAYOU LA BATRE, AL.....	2,000	2,000
BLACK WARRIOR AND TOBIGBEE RIVERS, AL.....	22,100	23,600
GULF INTRACOASTAL WATERWAY, AL.....	5,000	5,000
INSPECTION OF COMPLETED WORKS, AL.....	50	50
MILLERS FERRY LOCK AND DAM, WILLIAM "BILL" DANNELLY LA	5,429	5,429
MOBILE HARBOR, AL.....	19,040	22,040
ROBERT F HENRY LOCK AND DAM, AL.....	5,726	5,726
SCHEDULING RESERVOIR OPERATIONS, AL.....	100	100
TENNESSEE - TOBIGBEE WATERWAY WILDLIFE MITIGATION, AL	1,500	1,500
TENNESSEE - TOBIGBEE WATERWAY, AL & MS.....	21,500	22,500
WALTER F GEORGE LOCK AND DAM, AL & GA.....	6,892	6,892
ALASKA		
ANCHORAGE HARBOR, AK.....	2,969	2,969
CHENA RIVER LAKES, AK.....	3,259	3,259
COOK INLET SHOALS, AK.....	---	750
CORDOVA HARBOR, AK.....	400	400
DILLINGHAM HARBOR, AK.....	906	906
HOMER HARBOR, AK.....	370	370
INSPECTION OF COMPLETED WORKS, AK.....	41	41
NINILCHIK HARBOR, AK.....	239	239
NOME HARBOR, AK.....	285	1,000
PROJECT CONDITION SURVEYS, AK.....	533	533
ARIZONA		
ALAMO LAKE, AZ.....	1,563	1,563
INSPECTION OF COMPLETED WORKS, AZ.....	87	87
PAINTED ROCK DAM, AZ.....	1,498	1,498
SCHEDULING RESERVOIR OPERATIONS, AZ.....	35	35
WHITLOW RANCH DAM, AZ.....	184	184
ARKANSAS		
BEAVER LAKE, AR.....	4,297	4,297
BLAKELY MT DAM, LAKE OUACHITA, AR.....	6,126	6,126
BLUE MOUNTAIN LAKE, AR.....	1,751	1,751
BULL SHOALS LAKE, AR.....	5,180	5,180
DARDANELLE LOCK AND DAM, AR.....	5,319	5,319
DEGRAY LAKE, AR.....	7,103	7,103
DEQUEEN LAKE, AR.....	1,567	1,567
DIERKS LAKE, AR.....	1,131	1,131
GILLHAM LAKE, AR.....	1,531	1,531
GREERS FERRY LAKE, AR.....	6,391	8,391
HELENA HARBOR, PHILLIPS COUNTY, AR.....	25	300
INSPECTION OF COMPLETED WORKS, AR.....	192	192
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR.	29,493	29,493
MILLWOOD LAKE, AR.....	1,503	1,503
NARROWS DAM, LAKE GREESON, AR.....	5,559	5,559
NIMROD LAKE, AR.....	2,036	2,036
NORFORK LAKE, AR.....	3,471	3,471
OSCEOLA HARBOR, AR.....	25	750
OUACHITA AND BLACK RIVERS, AR & LA.....	10,221	10,221
OZARK - JETA TAYLOR LOCK AND DAM, AR.....	3,917	3,917
PROJECT CONDITION SURVEYS, AR.....	6	6
WHITE RIVER, AR.....	200	800
YELLOW BEND PORT, AR.....	15	126
CALIFORNIA		
BLACK BUTTE LAKE, CA.....	2,269	2,269

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE

BODEGA BAY, CA.....	---	1,900
BUCHANAN DAM, H V EASTMAN LAKE, CA.....	2,526	2,526
CHANNEL ISLANDS HARBOR, VENTURA COUNTY, CA (DREDGING S	---	40
COYOTE VALLEY DAM, LAKE MENDOCINO, CA.....	3,401	3,401
DRY CREEK (WARM SPRINGS) LAKE AND CHANNEL, CA.....	4,421	4,421
FARMINGTON DAM, CA.....	341	341
HIDDEN DAM, HENSLEY LAKE, CA.....	2,621	2,621
HUMBOLDT HARBOR AND BAY, CA.....	6,945	6,945
INSPECTION OF COMPLETED WORKS, CA.....	1,167	1,167
ISABELLA LAKE, CA.....	1,365	1,365
LOS ANGELES - LONG BEACH HARBOR MODEL, CA.....	175	175
LOS ANGELES COUNTY DRAINAGE AREA, CA.....	4,931	6,000
MARINA DEL REY (ENTRANCE CHANNEL), CA.....	---	100
MERCED COUNTY STREAMS, CA.....	280	280
MOJAVE RIVER DAM, CA.....	282	282
MORRO BAY HARBOR, CA.....	1,460	1,460
MOSS LANDING HARBOR, CA.....	---	600
NEW HOGAN LAKE, CA.....	2,789	2,789
NEW MELONES LAKE, DOWNSTREAM CHANNEL, CA.....	1,697	1,697
OAKLAND HARBOR, CA.....	6,785	9,000
OCEANSIDE HARBOR, CA.....	1,160	1,160
PETALUMA RIVER, CA.....	---	1,000
PILLAR POINT HARBOR, CA.....	---	300
PINE FLAT LAKE, CA.....	2,732	2,732
PORT HUENEME, CA.....	---	500
PROJECT CONDITION SURVEYS, CA.....	1,960	1,960
REDWOOD CITY, CA.....	---	200
RICHMOND HARBOR, CA.....	6,250	6,250
SACRAMENTO RIVER (30 FOOT PROJECT), CA.....	2,106	2,106
SACRAMENTO RIVER AND TRIBUTARIES (DEBRIS CONTROL), CA.	1,255	1,255
SAN DIEGO RIVER AND MISSION BAY, CA.....	60	60
SAN FRANCISCO BAY, DELTA MODEL STRUCTURE, CA.....	1,273	1,273
SAN FRANCISCO BAY, LONG TERM MANAGEMENT STRATEGY (LTMS	---	2,000
SAN FRANCISCO HARBOR AND BAY, CA (DRIFT REMOVAL).....	2,189	2,189
SAN FRANCISCO HARBOR, CA.....	2,092	2,092
SAN JOAQUIN RIVER, CA.....	2,065	2,500
SAN PABLO BAY AND MARE ISLAND STRAIT, CA.....	---	500
SANTA ANA RIVER BASIN, CA.....	3,815	3,815
SANTA BARBARA HARBOR, CA.....	1,905	1,905
SCHEDULING RESERVOIR OPERATIONS, CA.....	1,447	1,447
SUCCESS LAKE, CA.....	2,132	2,132
SUISUN BAY CHANNEL, CA.....	5,172	5,172
TERMINUS DAM, LAKE KAWEAH, CA.....	1,818	1,818
VENTURA HARBOR, CA.....	2,910	2,910
YUBA RIVER, CA.....	66	66

COLORADO

BEAR CREEK LAKE, CO.....	282	282
CHATFIELD LAKE, CO.....	1,690	2,023
CHERRY CREEK LAKE, CO.....	839	1,172
INSPECTION OF COMPLETED WORKS, CO.....	92	92
JOHN MARTIN RESERVOIR, CO.....	2,338	2,338
SCHEDULING RESERVOIR OPERATIONS, CO.....	292	292
TRINIDAD LAKE, CO.....	1,441	1,775

CONNECTICUT

BLACK ROCK LAKE, CT.....	343	343
COLEBROOK RIVER LAKE, CT.....	459	459
HANCOCK BROOK LAKE, CT.....	252	252
HOP BROOK LAKE, CT.....	857	857
INSPECTION OF COMPLETED WORKS, CT.....	81	81
MANSFIELD HOLLOW LAKE, CT.....	406	406
NORTHFIELD BROOK LAKE, CT.....	330	330
NORWALK HARBOR, CT.....	---	1,000

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
PROJECT CONDITION SURVEYS, CT.....	1,303	1,303
SOUTHPORT HARBOR, CT.....	---	500
STAMFORD HURRICANE BARRIER, CT.....	353	353
THOMASTON DAM, CT.....	442	442
TREATMENT OF DREDGED MATERIAL FROM LONG ISLAND SOUND, ..	---	750
WEST THOMPSON LAKE, CT.....	452	452
DELAWARE		
INTRACOASTAL WATERWAY, DELAWARE R TO CHESAPEAKE BAY, D	14,994	14,994
INTRACOASTAL WATERWAY, REHOBOTH BAY TO DELAWARE BAY, D	48	48
PROJECT CONDITION SURVEYS, DE.....	55	55
WILMINGTON HARBOR, DE.....	4,366	4,366
DISTRICT OF COLUMBIA		
INSPECTION OF COMPLETED WORKS, DC.....	7	7
POTOMAC AND ANACOSTIA RIVERS, DC (DRIFT REMOVAL).....	1,100	1,100
POTOMAC RIVER BELOW WASHINGTON, DC.....	---	320
PROJECT CONDITION SURVEYS, DC.....	35	35
WASHINGTON HARBOR, DC.....	50	50
FLORIDA		
CANAVERAL HARBOR, FL.....	3,800	3,800
CENTRAL AND SOUTHERN FLORIDA, FL.....	13,005	13,005
ESCAMBIA AND CONECUH RIVERS, FL.....	1,000	1,000
FERNANDINA HARBOR, FL.....	2,556	2,556
FORT PIERCE HARBOR, FL.....	65	65
INSPECTION OF COMPLETED WORKS, FL.....	200	200
INTRACOASTAL WATERWAY, JACKSONVILLE TO MIAMI, FL.....	680	4,000
JACKSONVILLE HARBOR, FL.....	6,551	6,551
JIM WOODRUFF LOCK AND DAM, LAKE SEMINOLE, FL, AL & GA.	6,686	6,686
MIAMI HARBOR, FL.....	1,515	1,515
MIAMI RIVER, FL.....	5,850	5,850
OKEECHOBEE WATERWAY, FL.....	4,316	4,316
PALM BEACH HARBOR, FL.....	1,916	1,916
PANAMA CITY HARBOR, FL.....	500	500
PENSACOLA HARBOR, FL.....	1,500	1,500
PORT EVERGLADES HARBOR, FL.....	1,255	1,255
PROJECT CONDITION SURVEYS, FL.....	1,000	1,000
REMOVAL OF AQUATIC GROWTH, FL.....	3,400	3,400
TAMPA HARBOR, FL.....	3,985	5,185
GEORGIA		
ALLATOONA LAKE, GA.....	6,000	6,000
APALACHICOLA, CHATTAHOOCHEE AND FLINT RIVERS, GA, AL &	1,500	5,000
ATLANTIC INTRACOASTAL WATERWAY, GA.....	178	178
BRUNSWICK HARBOR, GA.....	3,993	3,993
BUFORD DAM AND LAKE SIDNEY LANIER, GA.....	9,100	9,100
CARTERS DAM AND LAKE, GA.....	10,012	10,012
HARTWELL LAKE, GA & SC.....	13,964	13,964
INSPECTION OF COMPLETED WORKS, GA.....	41	41
J STROM THURMOND LAKE, GA & SC.....	11,747	11,747
RICHARD B RUSSELL DAM AND LAKE, GA & SC.....	7,746	7,746
SAVANNAH HARBOR, GA.....	12,540	12,540
SAVANNAH RIVER BELOW AUGUSTA, GA.....	154	154
WEST POINT DAM AND LAKE, GA & AL.....	6,600	6,900
HAWAII		
BARBERS POINT HARBOR, HI.....	176	176
INSPECTION OF COMPLETED WORKS, HI.....	191	191
MANELE SMALL BOAT HARBOR, HI.....	656	656
PORT ALLEN HARBOR, KAUAI, HI.....	90	90

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE

PROJECT CONDITION SURVEYS, HI.....	485	485
IDAHO		
ALBENI FALLS DAM, ID.....	2,202	2,202
DWORSHAK DAM AND RESERVOIR, ID.....	2,271	2,500
INSPECTION OF COMPLETED WORKS, ID.....	72	72
LUCKY PEAK LAKE, ID.....	2,167	2,167
SCHEDULING RESERVOIR OPERATIONS, ID.....	394	394
ILLINOIS		
CALUMET HARBOR AND RIVER, IL & IN.....	3,985	3,985
CARLYLE LAKE, IL.....	4,410	4,410
CHICAGO HARBOR, IL.....	2,319	2,319
CHICAGO RIVER, IL.....	362	362
FARM CREEK RESERVOIRS, IL.....	213	213
ILLINOIS WATERWAY (MVR PORTION), IL & IN.....	25,726	25,726
ILLINOIS WATERWAY (MVS PORTION), IL & IN.....	1,889	1,889
INSPECTION OF COMPLETED WORKS, IL.....	546	546
KASKASKIA RIVER NAVIGATION, IL.....	1,688	2,188
LAKE MICHIGAN DIVERSION, IL.....	537	537
LAKE SHELBYVILLE, IL.....	5,495	5,495
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVR PORTION)	44,429	45,000
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVS PORTION)	17,374	18,000
PROJECT CONDITION SURVEYS, IL.....	30	30
REND LAKE, IL.....	4,818	4,818
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IL.....	111	111
WAUKEGAN HARBOR, IL.....	2,027	2,027
INDIANA		
BROOKVILLE LAKE, IN.....	684	684
BURNS WATERWAY HARBOR, IN.....	2,774	2,774
CAGLES MILL LAKE, IN.....	635	635
CECIL M HARDEN LAKE, IN.....	745	745
INDIANA HARBOR, IN.....	316	316
INSPECTION OF COMPLETED WORKS, IN.....	346	346
J EDWARD ROUSH LAKE, IN.....	951	951
MICHIGAN CITY HARBOR, IN.....	1,970	1,970
MISSISSINAWA LAKE, IN.....	1,234	1,234
MONROE LAKE, IN.....	762	762
PATOKA LAKE, IN.....	687	687
PROJECT CONDITION SURVEYS, IN.....	55	55
SALAMONIE LAKE, IN.....	681	681
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IN.....	115	115
IOWA		
CORALVILLE LAKE, IA.....	3,037	3,500
FORT MADISON, IA.....	---	50
INSPECTION OF COMPLETED WORKS, IA.....	190	190
MISSOURI RIVER - KENSLERS BEND, NE TO SIOUX CITY, IA..	157	157
MISSOURI RIVER - RULO TO MOUTH, IA, NE, KS & MO.....	5,355	6,000
MISSOURI RIVER - SIOUX CITY TO RULO, IA & NE.....	2,260	2,260
MUSCATINE, IA.....	---	150
RATHBUN LAKE, IA.....	3,438	3,438
RED ROCK DAM AND LAKE RED ROCK, IA.....	3,663	4,000
SAYLORVILLE LAKE, IA.....	4,223	4,223
SCHEDULING RESERVOIR OPERATIONS, IA.....	---	334
KANSAS		
CLINTON LAKE, KS.....	1,857	1,857
COUNCIL GROVE LAKE, KS.....	1,760	1,840
EL DORADO LAKE, KS.....	939	939

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
ELK CITY LAKE, KS.....	650	650
FALL RIVER LAKE, KS.....	1,385	1,500
HILLSDALE LAKE, KS.....	759	759
JOHN REDMOND DAM AND RESERVOIR, KS.....	2,025	2,100
KANOPOLIS LAKE, KS.....	1,269	1,269
MARION LAKE, KS.....	2,443	2,800
MELVERN LAKE, KS.....	1,731	1,731
MILFORD LAKE, KS.....	2,783	2,783
PEARSON - SKUBITZ BIG HILL LAKE, KS.....	984	984
PERRY LAKE, KS.....	2,090	2,890
POMONA LAKE, KS.....	1,931	1,931
SCHEDULING RESERVOIR OPERATIONS, KS.....	129	129
TORONTO LAKE, KS.....	464	464
TUTTLE CREEK LAKE, KS.....	1,839	1,839
WILSON LAKE, KS.....	1,377	1,377
KENTUCKY		
BARKLEY DAM AND LAKE BARKLEY, KY & TN.....	8,902	8,902
BARREN RIVER LAKE, KY.....	2,484	2,484
BIG SANDY HARBOR, KY.....	35	35
BUCKHORN LAKE, KY.....	1,394	1,394
CARR CREEK LAKE, KY.....	1,448	1,448
CAVE RUN LAKE, KY.....	819	819
DEWEY LAKE, KY.....	1,636	1,636
ELVIS STAHR (HICKMAN) HARBOR, KY.....	25	480
FISHTRAP LAKE, KY.....	1,681	1,681
GRAYSON LAKE, KY.....	1,241	1,241
GREEN AND BARREN RIVERS, KY.....	1,205	1,205
GREEN RIVER LAKE, KY.....	2,359	2,359
INSPECTION OF COMPLETED WORKS, KY.....	97	97
KENTUCKY RIVER, KY.....	17	17
LAUREL RIVER LAKE, KY.....	1,572	1,572
MARTINS FORK LAKE, KY.....	583	583
MIDDLESBORO CUMBERLAND RIVER BASIN, KY.....	92	92
NOLIN LAKE, KY.....	2,056	2,056
OHIO RIVER LOCKS AND DAMS, KY, IL, IN & OH.....	31,372	31,372
OHIO RIVER OPEN CHANNEL WORK, KY, IL, IN & OH.....	4,560	4,560
PAINTSVILLE LAKE, KY.....	1,030	1,030
PROJECT CONDITION SURVEYS, KY.....	6	6
ROUGH RIVER LAKE, KY.....	2,848	2,848
TAYLORSVILLE LAKE, KY.....	981	981
WOLF CREEK DAM, LAKE CUMBERLAND, KY.....	10,670	10,670
YATESVILLE LAKE, KY.....	1,082	1,082
LOUISIANA		
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	19,367	20,000
BARATARIA BAY WATERWAY, LA.....	286	2,000
BAYOU BODCAU RESERVOIR, LA.....	864	864
BAYOU LAFOURCHE AND LAFOURCHE JUMP WATERWAY, LA.....	133	900
BAYOU LACOMBE, LA.....	---	315
BAYOU PIERRE, LA.....	31	31
BAYOU SEGNETTE WATERWAY, LA.....	165	800
BAYOU TECHE AND VERMILION RIVER, LA.....	35	35
BAYOU TECHE, LA.....	48	200
CADDO LAKE, LA.....	183	183
CALCASIEU RIVER AND PASS, LA.....	12,064	12,064
FRESHWATER BAYOU, LA.....	1,558	1,558
GULF INTRACOASTAL WATERWAY, LA.....	19,418	19,418
HOUMA NAVIGATION CANAL, LA.....	1,242	1,242
INSPECTION OF COMPLETED WORKS, LA.....	797	797
J BENNETT JOHNSTON WATERWAY, LA.....	12,013	14,000
LAKE PROVIDENCE HARBOR, LA.....	32	350
MADISON PARISH PORT, LA.....	13	80
MERMENTAU RIVER, LA.....	2,651	3,000

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE

MISSISSIPPI RIVER OUTLETS AT VENICE, LA.....	1,841	3,500
MISSISSIPPI RIVER, BATON ROUGE TO THE GULF OF MEXICO, ..	56,206	56,206
MISSISSIPPI RIVER, GULF OUTLET, LA.....	13,485	13,485
PROJECT CONDITION SURVEYS, LA.....	80	80
REMOVAL OF AQUATIC GROWTH, LA.....	2,000	2,000
WALLACE LAKE, LA.....	312	312
WATERWAY FROM EMPIRE TO THE GULF, LA.....	7	200
WATERWAY FROM INTRACOASTAL WATERWAY TO B DULAC, LA....	37	200
MAINE		
INSPECTION OF COMPLETED WORKS, ME.....	17	17
KENNEBEC RIVER, ME.....	45	45
NARRAGUAGUS, ME.....	---	750
PROJECT CONDITION SURVEYS, ME.....	1,886	1,886
SCARBOROUGH RIVER, ME.....	---	300
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ME.....	17	17
WELLS HARBOR, ME.....	50	50
MARYLAND		
BALTIMORE HARBOR ANCHORAGES AND CHANNELS, MD & VA.....	68	68
BALTIMORE HARBOR AND CHANNELS (50 FOOT), MD.....	18,416	18,416
BALTIMORE HARBOR, MD (DRIFT REMOVAL).....	500	500
BALTIMORE HARBOR, MD (PREVENTION OF OBSTRUCTIVE DEPOSI	676	676
CHESTER RIVER, MD.....	930	930
CRISFIELD HARBOR, MD.....	---	30
CUMBERLAND, MD AND RIDGELEY, WV.....	165	165
DREDGING/SOAL REMOVAL, ELK RIVER, CECIL COUNTY, MD...	---	175
FISHING CREEK, MD.....	---	300
HONGA RIVER AND TAR BAY, MD.....	80	1,250
INSPECTION OF COMPLETED WORKS, MD.....	34	34
JENNINGS RANDOLPH LAKE, MD & WV.....	1,774	2,500
KNAPPS NARROWS, MD.....	651	651
OCEAN CITY HARBOR AND INLET AND SINEPUXENT BAY, MD....	960	960
PARISH CREEK, MD.....	---	80
POCOMOKE RIVER, MD.....	989	989
PROJECT CONDITION SURVEYS, MD.....	365	365
SCHEDULING RESERVOIR OPERATIONS, MD.....	96	96
TILGHMAN ISLAND HARBOR, MD.....	---	400
TOLCHESTER CHANNEL, MD.....	1,364	1,364
UPPER THOROFARE, SOMERSET, MD.....	---	600
WICOMICO RIVER, MD.....	1,514	1,514
MASSACHUSETTS		
AUNT LYDIA'S COVE, CHATHAM, MA.....	300	300
BARRE FALLS DAM, MA.....	486	486
BIRCH HILL DAM, MA.....	450	450
BOSTON HARBOR, MA.....	3,000	3,000
BUFFUMVILLE LAKE, MA.....	447	447
CAPE COD CANAL, MA.....	7,772	7,772
CHARLES RIVER NATURAL VALLEY STORAGE AREA, MA.....	227	227
CONANT BROOK LAKE, MA.....	171	171
EAST BRIMFIELD LAKE, MA.....	301	301
GREEN HARBOR, MA.....	310	310
HODGES VILLAGE DAM, MA.....	428	428
INSPECTION OF COMPLETED WORKS, MA.....	114	114
KNIGHTVILLE DAM, MA.....	453	453
LITTLEVILLE LAKE, MA.....	364	364
NEW BEDFORD FAIRHAVEN AND ACUSHNET HURRICANE BARRIER, ..	300	300
NEW BEDFORD AND FAIRHAVEN HARBOR, MA.....	---	500
PLYMOUTH HARBOR & LONG BEACH DIKE, MA.....	---	100
PROJECT CONDITION SURVEYS, MA.....	1,316	1,316
TULLY LAKE, MA.....	412	412
WEST HILL DAM, MA.....	573	573

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
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WESTVILLE LAKE, MA.....	407	407
WEYMOUTH, FORE & TOWN RIVERS, MA.....	---	750
MICHIGAN		
ARCADIA HARBOR, MI.....	20	80
BLACK RIVER, PORT HURON, MI.....	16	16
BOLLES HARBOR, LA PLAISANCE CREEK, MI.....	---	250
CHANNELS IN LAKE ST CLAIR, MI.....	466	466
CHARLEVOIX HARBOR, MI.....	119	119
DETROIT RIVER, MI.....	3,458	3,458
FRANKFORT HARBOR, MI.....	3,112	3,112
GRAND HAVEN HARBOR, MI.....	810	810
HOLLAND HARBOR, MI.....	618	618
INSPECTION OF COMPLETED WORKS, MI.....	153	153
KEWEENAW WATERWAY, MI.....	428	428
LELAND HARBOR, MI.....	20	170
LEXINGTON HARBOR, MI.....	10	10
LITTLE LAKE HARBOR, MI.....	12	208
LUDINGTON HARBOR, MI.....	946	946
MANISTEE HARBOR, MI.....	227	227
MARQUETTE HARBOR, MI.....	10	10
MENOMINEE HARBOR, MI & WI.....	154	154
MONROE HARBOR, MI.....	138	138
MUSKEGON HARBOR, MI.....	21	21
ONTONAGON HARBOR, MI.....	473	473
PENTWATER HARBOR, MI.....	45	170
PORT AUSTIN HARBOR, MI.....	20	214
PORT SANILAC HARBOR, MI.....	27	27
PORTAGE LAKE HARBOR, MI.....	1,167	1,167
PROJECT CONDITION SURVEYS, MI.....	182	182
ROUGE RIVER, MI.....	177	177
SAGINAW RIVER, MI.....	2,001	2,251
SAUGATUCK HARBOR, MI.....	1,203	1,203
SEBEWAING RIVER (ICE JAM REMOVAL), MI.....	7	7
ST CLAIR RIVER, MI.....	1,565	1,565
ST JOSEPH HARBOR, MI.....	561	561
ST MARYS RIVER, MI.....	19,092	19,092
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MI.....	2,410	2,410
MINNESOTA		
BIGSTONE LAKE WHETSTONE RIVER, MN & SD.....	255	255
DULUTH - SUPERIOR HARBOR, MN & WI.....	4,991	4,991
INSPECTION OF COMPLETED WORKS, MN.....	107	107
LAC QUI PARLE LAKES, MINNESOTA RIVER, MN.....	568	568
MINNESOTA RIVER, MN.....	175	175
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVP PORTION)	36,056	36,056
ORWELL LAKE, MN.....	1,045	1,045
PROJECT CONDITION SURVEYS, MN.....	67	67
RED LAKE RESERVOIR, MN.....	99	99
RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER, MN.....	4,196	5,000
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MN.....	273	273
MISSISSIPPI		
ARKABUTLA LAKE, MS.....	685	685
BILOXI HARBOR, MS.....	---	1,000
CLAIBORNE COUNTY PORT, MS.....	8	87
EAST FORK, TOMBIGBEE RIVER, MS.....	170	170
ENID LAKE, MS.....	682	682
GRENADA LAKE, MS.....	700	700
GULFPORT HARBOR, MS.....	2,500	2,500
INSPECTION OF COMPLETED WORKS, MS.....	57	57
MOUTH OF YAZOO RIVER, MS.....	26	51
OKATIBBEE LAKE, MS.....	1,600	1,600

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE

PASCAGOULA HARBOR, MS.....	4,460	4,460
PEARL RIVER, MS & LA.....	343	343
PROJECT CONDITION SURVEYS, MS.....	180	180
ROSEDALE HARBOR, MS.....	21	450
SARDIS LAKE, MS.....	545	545
WOLF AND JORDAN RIVERS, MS.....	---	1,000
YAZOO RIVER, MS.....	115	115
MISSOURI		
CARUTHERSVILLE HARBOR, MO.....	30	330
CLARENCE CANNON DAM AND MARK TWAIN LAKE, MO.....	6,440	6,440
CLEARWATER LAKE, MO.....	1,959	2,500
HARRY S TRUMAN DAM AND RESERVOIR, MO.....	10,977	10,977
INSPECTION OF COMPLETED WORKS, MO.....	817	817
LITTLE BLUE RIVER LAKES, MO.....	850	850
LONG BRANCH LAKE, MO.....	875	875
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	18,099	18,099
NEW MADRID HARBOR, MO.....	22	340
POMME DE TERRE LAKE, MO.....	1,828	1,828
PROJECT CONDITION SURVEYS, MO.....	6	6
SCHEDULING RESERVOIR OPERATIONS, MO.....	316	316
SMITHVILLE LAKE, MO.....	1,118	1,118
SOUTHEAST MISSOURI PORT, MO.....	---	375
STOCKTON LAKE, MO.....	5,362	5,701
TABLE ROCK LAKE, MO.....	5,772	9,000
UNION LAKE, MO.....	10	10
WAPPAPELLO LAKE, MO.....	234	234
MONTANA		
FT PECK DAM AND LAKE, MT.....	5,413	5,413
INSPECTION OF COMPLETED WORKS, MT.....	12	12
LIBBY DAM, LAKE KOOCANUSA, MT.....	1,453	1,453
SCHEDULING RESERVOIR OPERATIONS, MT.....	87	87
NEBRASKA		
GAVINS POINT DAM, LEWIS AND CLARK LAKE, NE & SD.....	8,422	8,422
HARLAN COUNTY LAKE, NE.....	1,486	1,486
INSPECTION OF COMPLETED WORKS, NE.....	122	122
MISSOURI R MASTER WTR CONTROL MANUAL, NE, IA, KS, MO..	350	350
PAPILLION CREEK AND TRIBUTARIES LAKES, NE.....	564	564
SALT CREEK AND TRIBUTARIES, NE.....	708	708
NEVADA		
INSPECTION OF COMPLETED WORKS, NV.....	43	43
MARTIS CREEK LAKE, NV & CA.....	552	552
PINE AND MATHEWS CANYONS LAKES, NV.....	288	368
NEW HAMPSHIRE		
BLACKWATER DAM, NH.....	461	461
COCHECO RIVER, NH.....	---	1,000
COMPREHENSIVE UPLAND DREDGE DISPOSAL SITE EVALUATION..	---	250
EDWARD MACDOWELL LAKE, NH.....	481	481
FRANKLIN FALLS DAM, NH.....	500	500
HOPKINTON - EVERETT LAKES, NH.....	887	887
INSPECTION OF COMPLETED WORKS, NH.....	12	12
OTTER BROOK LAKE, NH.....	537	537
PROJECT CONDITION SURVEYS, NH.....	300	300
SURRY MOUNTAIN LAKE, NH.....	498	498

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE

NEW JERSEY		
BARNEGAT INLET, NJ.....	1,520	1,720
COLD SPRING INLET, NJ.....	500	725
DELAWARE RIVER AT CAMDEN, NJ.....	20	20
DELAWARE RIVER, PHILADELPHIA TO THE SEA, NJ, PA & DE..	19,290	20,800
DELAWARE RIVER, PHILADELPHIA, PA TO TRENTON, NJ.....	3,615	3,615
INSPECTION OF COMPLETED WORKS, NJ.....	89	89
NEW JERSEY INTRACOASTAL WATERWAY, NJ.....	1,815	2,000
NEWARK BAY, HACKENSACK AND PASSAIC RIVERS, NJ.....	100	100
MANAQUAN RIVER, NJ.....	---	175
PASSAIC RIVER FLOOD WARNING SYSTEMS, NJ.....	425	425
PROJECT CONDITION SURVEYS, NJ.....	785	785
RARITAN RIVER, NJ.....	450	450
SANDY HOOK BAY AT LEONARD, NJ.....	70	70
SALEM RIVER, NJ.....	---	700
SHARK RIVER, NJ.....	70	70
NEW MEXICO		
ABIQUIU DAM, NM.....	1,712	3,200
COCHITI LAKE, NM.....	2,569	7,079
CONCHAS LAKE, NM.....	1,560	2,000
GALISTEO DAM, NM.....	434	534
INSPECTION OF COMPLETED WORKS, NM.....	137	137
JEMEZ CANYON DAM, NM.....	637	3,000
SANTA ROSA DAM AND LAKE, NM.....	1,176	1,300
SCHEDULING RESERVOIR OPERATIONS, NM.....	227	227
TWO RIVERS DAM, NM.....	463	463
UPPER RIO GRANDE WATER OPERATIONS MODEL, NM.....	---	1,000
NEW YORK		
ALMOND LAKE, NY.....	471	471
ARKPORT DAM, NY.....	275	275
BARCELONA HARBOR, NY.....	3	3
BLACK ROCK CHANNEL AND TONAWANDA HARBOR, NY.....	2,950	2,950
BROWNS CREEK, NY.....	80	80
BUFFALO HARBOR, NY.....	1,263	1,263
BUTTERMILK CHANNEL, NY.....	300	300
CATTARAUGUS CREEK HARBOR, NY.....	5	5
DUNKIRK HARBOR, NY.....	305	305
EAST ROCKAWAY INLET, NY.....	140	140
EAST SIDNEY LAKE, NY.....	500	500
FIRE ISLAND INLET TO JONES INLET, NY.....	2,350	2,350
FLUSHING BAY & CREEK, NY.....	---	1,500
GLEN COVE CREEK, NY.....	100	100
GREAT SODUS BAY HARBOR, NY.....	---	400
HUDSON RIVER CHANNEL, NY.....	350	350
HUDSON RIVER, NY (MAINT).....	2,510	2,510
HUDSON RIVER, NY (O&C).....	2,935	2,935
INSPECTION OF COMPLETED WORKS, NY.....	454	454
JAMAICA BAY, NY.....	140	140
LONG ISLAND INTRACOASTAL WATERWAY, NY.....	2,000	2,000
MATTITUCK HARBOR, NY.....	---	700
MORICHES INLET, NY.....	30	300
MT MORRIS LAKE, NY.....	2,753	2,753
NEW YORK AND NEW JERSEY CHANNELS, NY.....	3,660	3,660
NEW YORK HARBOR, NY.....	4,460	4,460
NEW YORK HARBOR, NY & NJ (DRIFT REMOVAL).....	5,344	5,344
NEW YORK HARBOR, NY (PREVENTION OF OBSTRUCTIVE DEPOSIT	750	750
OAK ORCHARD HARBOR, NY (POINT BREEZE).....	---	200
OLCOTT HARBOR, NY.....	5	5
OSWEGO HARBOR, NY (MAINTENANCE DREDGING).....	---	200
PLATTSBURGH HARBOR, NY.....	---	750
PROJECT CONDITION SURVEYS, NY.....	1,220	1,220

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
ROCHESTER HARBOR, NY.....	55	300
RONDOUT HARBOR, NY.....	150	150
SAG HARBOR, NY.....	100	100
SHINNECOCK INLET, NY.....	416	1,000
SOUTHERN NEW YORK FLOOD CONTROL PROJECTS, NY.....	774	774
STURGEON POINT HARBOR, NY.....	20	20
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, NY.....	586	586
WHITNEY POINT LAKE, NY.....	1,044	1,044
WILSON HARBOR, NY.....	3	3
NORTH CAROLINA		
ATLANTIC INTRACOASTAL WATERWAY, NC.....	831	2,200
B EVERETT JORDAN DAM AND LAKE, NC.....	1,993	1,993
BEAUFORT HARBOR, NC.....	400	400
BOGUE INLET AND CHANNEL, NC.....	866	866
CAPE FEAR RIVER ABOVE WILMINGTON, NC.....	803	803
CAROLINA BEACH INLET, NC.....	1,088	1,088
FALLS LAKE, NC.....	2,113	2,113
INSPECTION OF COMPLETED WORKS, NC.....	33	33
LAKE JUNALUSKA, NC.....	---	250
LOCKWOODS FOLLY RIVER, NC.....	1,017	1,017
MANTEO (SHALLOWBAG) BAY, NC.....	6,390	6,390
MASONBORO INLET AND CONNECTING CHANNELS, NC.....	50	50
MOREHEAD CITY HARBOR, NC.....	12,917	12,917
NEW RIVER INLET, NC.....	839	839
NEW TOPSAIL INLET AND CONNECTING CHANNELS, NC.....	665	665
PAMLICO AND TAR RIVERS, NC.....	219	219
PROJECT CONDITION SURVEYS, NC.....	75	75
ROANOKE RIVER, NC.....	178	178
W KERR SCOTT DAM AND RESERVOIR, NC.....	2,853	2,853
WILMINGTON HARBOR, NC.....	6,906	6,906
NORTH DAKOTA		
BOWMAN - HALEY LAKE, ND.....	163	163
GARRISON DAM, LAKE SAKAKAWEA, ND.....	12,664	12,964
HOMME LAKE, ND.....	921	921
INSPECTION OF COMPLETED WORKS, ND.....	68	68
LAKE ASHTABULA AND BALDHILL DAM, ND.....	1,944	1,944
PIPESTEM LAKE, ND.....	461	461
SCHEDULING RESERVOIR OPERATIONS, ND.....	113	113
SOURIS RIVER, ND.....	340	340
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ND.....	29	29
OHIO		
ALUM CREEK LAKE, OH.....	699	1,200
ASHTABULA HARBOR, OH.....	1,245	1,245
BERLIN LAKE, OH.....	1,690	1,690
CAESAR CREEK LAKE, OH.....	1,490	1,490
CLARENCE J BROWN DAM, OH.....	888	888
CLEVELAND HARBOR, OH.....	3,235	3,235
CONNEAUT HARBOR, OH.....	579	800
COOLEY CANAL, OH.....	20	300
DEER CREEK LAKE, OH.....	637	637
DELAWARE LAKE, OH.....	1,181	1,181
DILLON LAKE, OH.....	532	532
FAIRPORT HARBOR, OH.....	735	735
HURON HARBOR, OH.....	108	108
INSPECTION OF COMPLETED WORKS, OH.....	210	210
LORAIN HARBOR, OH.....	4,483	4,483
MASSILLON LOCAL PROTECTION PROJECT, OH.....	25	25
MICHAEL J KIRWAN DAM AND RESERVOIR, OH.....	793	793
MOSQUITO CREEK LAKE, OH.....	1,176	1,176
MUSKINGUM RIVER LAKES, OH.....	7,799	9,399

OPERATION AND MAINTENANCE
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	BUDGET REQUEST	CONFERENCE

NORTH BRANCH KOKOSING RIVER LAKE, OH.....	185	185
PAINT CREEK LAKE, OH.....	788	788
PORT CLINTON HARBOR, OH.....	10	10
PROJECT CONDITION SURVEYS, OH.....	129	129
ROCKY RIVER, OH.....	3	350
ROSEVILLE LOCAL PROTECTION PROJECT, OH.....	30	30
SANDUSKY HARBOR, OH.....	825	825
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OH.....	165	165
TOLEDO HARBOR, OH.....	4,004	4,004
TOM JENKINS DAM, OH.....	238	238
TOUSSAINT RIVER, OH.....	20	20
VERMILION HARBOR, OH.....	28	350
WEST FORK OF MILL CREEK LAKE, OH.....	455	455
WEST HARBOR, OH.....	3	503
WILLIAM H HARSHA LAKE, OH.....	941	941
OKLAHOMA		
ARCADIA LAKE, OK.....	715	715
BIRCH LAKE, OK.....	482	482
BROKEN BOW LAKE, OK.....	1,684	1,684
CANDY LAKE, OK.....	20	20
CANTON LAKE, OK.....	2,302	2,302
COPAN LAKE, OK.....	707	707
EUFAULA LAKE, OK.....	5,889	5,889
FORT GIBSON LAKE, OK.....	6,463	6,463
FORT SUPPLY LAKE, OK.....	846	846
GREAT SALT PLAINS LAKE, OK.....	514	514
HEYBURN LAKE, OK.....	612	612
HUGO LAKE, OK.....	1,638	1,638
HULAH LAKE, OK.....	1,230	1,230
KAW LAKE, OK.....	2,016	2,016
KEYSTONE LAKE, OK.....	6,834	6,834
OOLOGAH LAKE, OK.....	2,099	2,099
OPTIMA LAKE, OK.....	406	406
PENSACOLA RESERVOIR, LAKE OF THE CHEROKEES, OK.....	35	35
PINE CREEK LAKE, OK.....	921	921
ROBERT S KERR LOCK AND DAM AND RESERVOIRS, OK.....	4,275	4,495
SARDIS LAKE, OK.....	1,096	1,096
SCHEDULING RESERVOIR OPERATIONS, OK.....	387	387
SKIATOOK LAKE, OK.....	1,353	1,353
TENKILLER FERRY LAKE, OK.....	3,217	3,217
WAURIKA LAKE, OK.....	1,241	1,241
WEBBERS FALLS LOCK AND DAM, OK.....	6,551	6,551
WISTER LAKE, OK.....	948	948
OREGON		
APPLEGATE LAKE, OR.....	666	666
BLUE RIVER LAKE, OR.....	261	261
BONNEVILLE LOCK AND DAM, OR & WA.....	4,849	4,849
CHETCO RIVER, OR.....	---	350
COLUMBIA & LWR WILLAMETTE R BLW VANCOUVER, WA & PORTLA	16,674	17,500
COLUMBIA RIVER AT BAKER BAY, WA.....	---	350
COLUMBIA RIVER AT THE MOUTH, OR & WA.....	10,028	10,028
COLUMBIA RIVER BETWEEN VANCOUVER, WA AND THE DALLS, O	382	382
COOS BAY, OR.....	3,598	3,598
COQUILLE RIVER, OR.....	---	300
COTTAGE GROVE LAKE, OR.....	724	724
COUGAR LAKE, OR.....	3,577	3,577
DEPOE BAY (HARBOR WALL STABILIZATION), OR.....	---	400
DETROIT LAKE, OR.....	2,002	2,002
DORENA LAKE, OR.....	535	535
FALL CREEK LAKE, OR.....	464	464
FERN RIDGE LAKE, OR.....	956	1,500
GREEN PETER - FOSTER LAKES, OR.....	2,545	2,545

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
HILLS CREEK LAKE, OR.....	4,895	4,895
INSPECTION OF COMPLETED WORKS, OR.....	161	161
JOHN DAY LOCK AND DAM, OR & WA.....	4,038	4,538
LOOKOUT POINT LAKE, OR.....	2,027	2,027
LOST CREEK LAKE, OR.....	5,154	5,154
MCNARY LOCK AND DAM, OR & WA.....	5,484	5,484
PORT ORFORD, OR.....	---	250
PROJECT CONDITION SURVEYS, OR.....	200	200
ROUGE RIVER, GOLD BEACH, OR.....	---	400
SCHEDULING RESERVOIR OPERATIONS, OR.....	60	60
SIUSLAW RIVER, OR.....	---	150
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OR.....	134	134
TILLAMOOK BAY AND BAR, OR.....	---	400
UMPQUA RIVER, OR.....	---	425
WILLAMETTE RIVER AT WILLAMETTE FALLS, OR.....	259	359
WILLAMETTE RIVER BANK PROTECTION, OR.....	58	58
WILLOW CREEK LAKE, OR.....	599	599
YAUQUINA BAY AND HARBOR, OR.....	1,228	1,228
PENNSYLVANIA		
ALLEGHENY RIVER, PA.....	4,596	4,846
ALVIN R BUSH DAM, PA.....	712	712
AYLESWORTH CREEK LAKE, PA.....	254	254
BELTZVILLE LAKE, PA.....	1,095	1,095
BLUE MARSH LAKE, PA.....	2,810	2,810
CONEMAUGH RIVER LAKE, PA.....	962	962
COWANESQUE LAKE, PA.....	3,118	3,118
CROOKED CREEK LAKE, PA.....	1,369	1,369
CURWENSVILLE LAKE, PA.....	743	743
EAST BRANCH CLARION RIVER LAKE, PA.....	1,057	1,057
ERIE HARBOR, PA.....	135	135
FOSTER JOSEPH SAYERS DAM, PA.....	789	789
FRANCIS E WALTER DAM, PA.....	681	1,000
GENERAL EDGAR JADWIN DAM AND RESERVOIR, PA.....	348	348
INSPECTION OF COMPLETED WORKS, PA.....	271	271
JOHNSTOWN, PA.....	997	2,247
KINZUA DAM AND ALLEGHENY RESERVOIR, PA.....	1,437	1,437
LOYALHANNA LAKE, PA.....	885	885
MAHONING CREEK LAKE, PA.....	820	820
MONONGAHELA RIVER, PA.....	15,158	15,500
OHIO RIVER LOCKS AND DAMS, PA, OH & WV.....	22,504	22,504
OHIO RIVER OPEN CHANNEL WORK, PA, OH & WV.....	488	488
PROJECT CONDITION SURVEYS, PA.....	21	21
PROMPTON LAKE, PA.....	455	455
PUNXSUTAWNEY, PA.....	17	17
RAYSTOWN LAKE, PA.....	5,674	6,074
SCHEDULING RESERVOIR OPERATIONS, PA.....	57	57
SCHUYLKILL RIVER, PA.....	1,360	1,360
SHENANGO RIVER LAKE, PA.....	1,829	1,829
STILLWATER LAKE, PA.....	385	385
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, PA.....	79	79
TIOGA - HAMMOND LAKES, PA.....	3,852	4,352
TIONESTA LAKE, PA.....	1,790	2,340
UNION CITY LAKE, PA.....	224	224
WOODCOCK CREEK LAKE, PA.....	810	810
YORK INDIAN ROCK DAM, PA.....	691	691
YOUGHIOGHENY RIVER LAKE, PA & MD.....	1,804	1,804
RHODE ISLAND		
INSPECTION OF COMPLETED WORKS, RI.....	6	6
PROJECT CONDITION SURVEYS, RI.....	2,163	2,163
PROVIDENCE RIVER AND HARBOR, RI.....	21,000	21,000

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE

SOUTH CAROLINA		
ATLANTIC INTRACOASTAL WATERWAY, SC.....	269	1,432
CHARLESTON HARBOR, SC.....	9,740	10,000
COOPER RIVER, CHARLESTON HARBOR, SC.....	3,380	3,380
FOLLY RIVER, SC.....	277	400
GEORGETOWN HARBOR, SC.....	2,719	2,719
INSPECTION OF COMPLETED WORKS, SC.....	26	26
MURRELLS INLET, SC.....	45	45
PROJECT CONDITION SURVEYS, SC.....	229	229
TOWN CREEK, SC.....	419	419
SOUTH DAKOTA		
BIG BEND DAM, LAKE SHARPE, SD.....	6,715	6,715
CHEYENNE, RIVER SIOUX TRIBE, LOWER BRULE, SD.....	---	5,000
COLD BROOK LAKE, SD.....	238	238
COTTONWOOD SPRINGS LAKE, SD.....	192	192
FORT RANDALL DAM, LAKE FRANCIS CASE, SD.....	6,873	6,873
INSPECTION OF COMPLETED WORKS, SD.....	21	21
LAKE TRAVERSE, SD & MN.....	907	907
MISSOURI R BETWEEN FORT PECK DAM AND GAVINS PT, SD, MT	410	410
OAHE DAM, LAKE OAHE, SD & ND.....	13,768	13,768
SCHEDULING RESERVOIR OPERATIONS, SD.....	48	48
TENNESSEE		
CENTER HILL LAKE, TN.....	8,604	8,604
CHEATHAM LOCK AND DAM, TN.....	5,612	5,612
CHICKAMAUGA LOCK, TN.....	2,480	2,480
CORDELL HULL DAM AND RESERVOIR, TN.....	3,870	3,870
DALE HOLLOW LAKE, TN.....	6,120	6,120
INSPECTION OF COMPLETED WORKS, TN.....	127	127
J PERCY PRIEST DAM AND RESERVOIR, TN.....	3,150	3,150
OLD HICKORY LOCK AND DAM, TN.....	7,685	7,685
PROJECT CONDITION SURVEYS, TN.....	6	6
TENNESSEE RIVER, TN.....	16,521	17,200
WOLF RIVER HARBOR, TN.....	20	530
TEXAS		
AQUILLA LAKE, TX.....	589	589
ARKANSAS - RED RIVER BASINS CHLORIDE CONTROL - AREA VI	1,262	1,262
BARBOUR TERMINAL CHANNEL, TX.....	659	659
BARDWELL LAKE, TX.....	1,598	1,598
BELTON LAKE, TX.....	3,299	4,100
BENBROOK LAKE, TX.....	2,038	2,038
BUFFALO BAYOU AND TRIBUTARIES, TX.....	2,413	2,413
CANYON LAKE, TX.....	2,770	2,770
CORPUS CHRISTI SHIP CHANNEL, TX.....	6,650	6,650
DENISON DAM, LAKE TEXOMA, TX.....	8,500	8,800
ESTELLINE SPRINGS EXPERIMENTAL PROJECT, TX.....	3	3
FERRELLS BRIDGE DAM, LAKE O' THE PINES, TX.....	2,660	2,660
FREEPORT HARBOR, TX.....	4,500	4,500
GALVESTON HARBOR AND CHANNEL, TX.....	4,676	4,676
GRANGER DAM AND LAKE, TX.....	1,568	1,568
GRAPEVINE LAKE, TX.....	2,596	2,596
GULF INTRACOASTAL WATERWAY, TX.....	21,329	21,329
HORDS CREEK LAKE, TX.....	1,223	1,223
HOUSTON SHIP CHANNEL, TX.....	13,539	13,539
INSPECTION OF COMPLETED WORKS, TX.....	256	256
JIM CHAPMAN LAKE, TX.....	1,141	1,141
JOE POOL LAKE, TX.....	626	626
LAKE KEMP, TX.....	487	487
LAVON LAKE, TX.....	3,312	3,312
LEWISVILLE DAM, TX.....	3,124	3,124

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE

MATAGORDA SHIP CHANNEL, TX.....	4,690	4,690
NAVARRO MILLS LAKE, TX.....	1,597	1,597
NORTH SAN GABRIEL DAM AND LAKE GEORGETOWN, TX.....	1,711	1,711
O C FISHER DAM AND LAKE, TX.....	1,419	1,419
PAT MAYSE LAKE, TX.....	794	900
PROCTOR LAKE, TX.....	1,683	1,683
PROJECT CONDITION SURVEYS, TX.....	50	50
RAY ROBERTS LAKE, TX.....	689	1,200
SABINE - NECHES WATERWAY, TX.....	8,849	8,849
SAM RAYBURN DAM AND RESERVOIR, TX.....	5,618	5,618
SCHEDULING RESERVOIR OPERATIONS, TX.....	190	190
SOMERVILLE LAKE, TX.....	3,323	3,323
STILLHOUSE HOLLOW DAM, TX.....	2,487	2,600
TEXAS CITY SHIP CHANNEL, TX.....	---	1,000
TEXAS WATER ALLOCATION ASSESSMENT, TX.....	100	100
TOWN BLUFF DAM, B A STEINHAGEN LAKE, TX.....	1,946	2,500
WACO LAKE, TX.....	2,316	2,816
WALLISVILLE LAKE, TX.....	958	958
WHITNEY LAKE, TX.....	4,695	4,695
WRIGHT PATMAN DAM AND LAKE, TX.....	3,404	3,464
UTAH		
INSPECTION OF COMPLETED WORKS, UT.....	65	65
SCHEDULING RESERVOIR OPERATIONS, UT.....	464	464
VERMONT		
BALL MOUNTAIN LAKE, VT.....	651	651
INSPECTION OF COMPLETED WORKS, VT.....	42	42
NARROWS OF LAKE CHAMPLAIN, VT & NY.....	50	50
NORTH HARTLAND LAKE, VT.....	582	582
NORTH SPRINGFIELD LAKE, VT.....	621	621
TOWNSHEND LAKE, VT.....	595	595
UNION VILLAGE DAM, VT.....	545	545
WINHALL BROOK, VT.....	---	600
VIRGINIA		
APPOMATTOX RIVER, VA.....	---	150
ATLANTIC INTRACOASTAL WATERWAY - ACC, VA.....	1,991	1,991
ATLANTIC INTRACOASTAL WATERWAY - DSC, VA.....	1,033	1,033
BONUM CREEK, VA.....	705	705
CAPE CHARLES CITY HARBOR, VA.....	25	25
CHINCOTEAGUE INLET, VA.....	915	915
DEEP CREEK, NEWPORT NEWS, VA.....	---	350
GATHRIGHT DAM AND LAKE MOOMAW, VA.....	1,756	1,756
HAMPTON CREEK, VA.....	733	733
HAMPTON RDS, NORFOLK & NEWPORT NEWS HBR, VA (DRIFT REM	1,200	1,200
HOSKINS CREEK, VA.....	1,479	1,479
INSPECTION OF COMPLETED WORKS, VA.....	111	111
JAMES RIVER CHANNEL, VA.....	3,107	3,107
JOHN H KERR LAKE, VA & NC.....	10,839	10,839
JOHN W FLANNAGAN DAM AND RESERVOIR, VA.....	1,341	1,341
LYNNHAVEN INLET, VA.....	200	200
MONROE BAY AND CREEK, VA.....	422	422
NORFOLK HARBOR, VA.....	7,115	7,115
NORFOLK HARBOR, VA (PREVENTION OF OBSTRUCTIVE DEPOSITS	200	200
NORTH FORK OF POUND RIVER LAKE, VA.....	343	343
OYSTER CHANNEL, VA.....	310	310
PAGAN RIVER, VA.....	---	300
PHILPOTT LAKE, VA.....	3,854	3,854
PROJECT CONDITION SURVEYS, VA.....	750	750
QUINBY CREEK, VA.....	40	40
RUDEE INLET, VA.....	1,180	1,180
TYLER'S BEACH DREDGING PROJECT.....	---	100

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
WATERWAY ON THE COAST OF VIRGINIA, VA.....	1,285	1,400
YORK RIVER, VA.....	1,585	1,585
WASHINGTON		
BELLINGHAM HARBOR, WA.....	50	50
CHIEF JOSEPH DAM, WA.....	711	711
COLUMBIA RIVER BTWN CHINOOK & HEAD OF SAND ISLAND, WA.....	---	500
EVERETT HARBOR AND SNOHOMISH RIVER, WA.....	1,579	1,579
GRAYS HARBOR AND CHEHALIS RIVER, WA.....	8,377	9,377
HOWARD HANSON DAM, WA.....	2,050	2,050
ICE HARBOR LOCK AND DAM, WA.....	7,770	7,770
INSPECTION OF COMPLETED WORKS, WA.....	295	295
LAKE CROCKETT (KEYSTONE HARBOR), WA.....	7	7
LAKE WASHINGTON SHIP CANAL, WA.....	6,262	6,262
LITTLE GOOSE LOCK AND DAM, WA.....	1,342	1,342
LOWER GRANITE LOCK AND DAM, WA.....	2,074	2,074
LOWER MONUMENTAL LOCK AND DAM, WA.....	2,004	2,004
MILL CREEK LAKE, WA.....	1,196	1,196
MT ST HELENS SEDIMENT CONTROL, WA.....	263	263
MUD MOUNTAIN DAM, WA.....	2,931	2,931
PROJECT CONDITION SURVEYS, WA.....	347	347
PUGET SOUND AND TRIBUTARY WATERS, WA.....	961	961
SCHEDULING RESERVOIR OPERATIONS, WA.....	472	472
SEATTLE HARBOR, WA.....	985	985
STILLAGUAMISH RIVER, WA.....	254	254
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WA.....	62	62
SWINOMISH CHANNEL, WA.....	520	520
TACOMA, PUYALLUP RIVER, WA.....	115	115
THE DALLES LOCK AND DAM, WA & OR.....	3,278	3,278
WILLAPA RIVER AND HARBOR, WA.....	510	510
WEST VIRGINIA		
BEECH FORK LAKE, WV.....	1,061	1,061
BLUESTONE LAKE, WV.....	1,074	1,074
BURNSVILLE LAKE, WV.....	1,446	1,446
EAST LYNN LAKE, WV.....	1,609	1,609
ELKINS, WV.....	18	18
INSPECTION OF COMPLETED WORKS, WV.....	106	106
KANAWHA RIVER LOCKS AND DAMS, WV.....	7,655	7,655
OHIO RIVER LOCKS AND DAMS, WV, KY & OH.....	24,270	24,270
OHIO RIVER OPEN CHANNEL WORK, WV, KY & OH.....	2,366	2,366
R D BAILEY LAKE, WV.....	1,457	1,607
STONEWALL JACKSON LAKE, WV.....	836	836
SUMMERSVILLE LAKE, WV.....	1,469	1,469
SUTTON LAKE, WV.....	1,785	3,000
TYGART LAKE, WV.....	4,195	4,195
WISCONSIN		
EAU GALLE RIVER LAKE, WI.....	1,599	1,599
FOX RIVER, WI.....	3,929	3,929
GREEN BAY HARBOR, WI.....	3,492	3,492
INSPECTION OF COMPLETED WORKS, WI.....	47	47
KENOSHA HARBOR, WI.....	178	178
KEWAUNEE HARBOR, WI.....	120	120
MANITOWOC HARBOR, WI.....	63	63
MILWAUKEE HARBOR, WI.....	781	781
PORT WASHINGTON HARBOR, WI.....	170	170
PROJECT CONDITION SURVEYS, WI.....	96	96
SHEBOYGAN HARBOR, WI.....	991	991
STURGEON BAY HARBOR AND LAKE MICHIGAN SHIP CANAL, WI..	317	317
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WI.....	472	472
TWO RIVERS HARBOR, WI.....	1,200	1,200

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE

WYOMING		
INSPECTION OF COMPLETED WORKS, WY.....	11	11
JACKSON HOLE LEVEES, WY.....	1,217	1,217
SCHEDULING RESERVOIR OPERATIONS, WY.....	86	86
MISCELLANEOUS		
AQUATIC NUISANCE CONTROL RESEARCH.....	725	1,025
AUTOMATED BUDGET SYSTEM (ABS).....	285	285
COASTAL INLET RESEARCH PROGRAM.....	2,750	3,050
CULTURAL RESOURCES (NAGPRA/CURATION).....	1,545	1,545
DREDGE WHEELER READY RESERVE.....	8,000	8,000
DREDGING DATA AND LOCK PERFORMANCE MONITORING SYSTEM..	1,180	1,180
DREDGING OPERATIONS AND ENVIRONMENTAL RESEARCH (DOER)..	6,755	6,755
DREDGING OPERATIONS TECHNICAL SUPPORT PROGRAM.....	1,545	1,545
EARTHQUAKE HAZARDS REDUCTION PROGRAM.....	300	300
EXTRAORDINARY MAINTENANCE.....	---	15,000
FACILITY PROTECTION.....	13,000	13,000
GREAT LAKES SEDIMENT TRANSPORT MODELS.....	1,000	1,000
HARBOR MAINTENANCE FEE DATA COLLECTION.....	675	675
INLAND WATERWAY NAVIGATION CHARTS.....	4,120	4,120
LONG TERM OPTION ASSESSMENT FOR LOW USE NAVIGATION....	1,000	---
MONITORING OF COMPLETED NAVIGATION PROJECTS.....	1,750	1,750
NATIONAL DAM SAFETY PROGRAM.....	45	45
NATIONAL DAM SECURITY PROGRAM.....	30	30
NATIONAL EMERGENCY PREPAREDNESS PROGRAM (NEPP).....	6,000	6,000
NATIONAL LEWIS AND CLARK COMMEMORATION COORDINATOR....	310	310
PERFORMANCE BASED BUDGETING SUPPORT PROGRAM.....	815	815
PROTECT, CLEAR AND STRAIGHTEN CHANNELS(SEC 3).....	50	50
RECREATION MANAGEMENT SUPPORT PROGRAM (RMSP).....	1,545	1,545
REGIONAL SEDIMENT MANAGEMENT DEMONSTRATION PROGRAM....	1,545	1,795
RELIABILITY MODELS PROGRAM FOR MAJOR REHABILITATION...	675	675
REMOVAL OF SUNKEN VESSELS.....	500	500
WATER OPERATIONS TECHNICAL SUPPORT (WOTS).....	725	725
WATERBORNE COMMERCE STATISTICS.....	4,745	4,745
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE.....	-13,491	-114,038
	=====	=====
TOTAL, OPERATION AND MAINTENANCE.....	1,939,000	1,967,925
	=====	=====

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

The conference agreement appropriates \$38,191,000 to carry out the provisions of the Central Utah Project Completion Act as proposed by the House and the Senate.

Section 402(b)(3)(B) of the Central Utah Project Completion Act directed that the Secretary of Energy, out of funds appropriated to the Western Area Power Administration, contribute funds annually to the Utah Reclamation Mitigation and Conservation Fund. On May 9, 2003, the Administration submitted a budget amendment proposing to transfer that responsibility to the Secretary of the Interior and requesting an additional \$6,000,000 in this account for that purpose. The conference agreement (Section 214) provides that this payment shall continue to be made from funds appropriated to the Western Power Administration for ten years from the date of enactment of this Act.

BUREAU OF RECLAMATION

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Bureau of Reclamation. Additional items of conference agreement are discussed below.

WATER AND RELATED RESOURCES

The conference agreement appropriates \$857,498,000 for Water and Related Resources instead of \$817,913,000 as proposed by the House and \$859,517,000 as proposed by the Senate.

The conference agreement includes \$4,500,000 for the Colorado River Front Work and Levee system project, \$1,000,000 more than the budget request. The Bureau of Reclamation is directed to carry out the work on the water management reservoirs near the All American Canal and associated facilities under the authority of the Colorado River Front Work and Levee System (P.L. 585 and P.L. 560, as amended).

The conferees are concerned that the Bureau of Reclamation is having to make excess releases of more than 100,000 acre-feet of water per year from storage in Colorado River reservoirs in order to meet the delivery requirements of the 1944 Treaty with Mexico. This is due to not counting Wellton-Mohawk Irrigation and Drainage District drainage flows that are bypassed to the Cienega de Santa Clara as part of the 1.5 million acre-feet required to satisfy the Treaty. This loss of water has become particularly acute due to the drought in the Colorado River Basin. The loss of more than 100,000 acre-feet per year robs all seven basin states of badly needed water. Title I of the Colorado River Basin Salinity Control Act identified construction and operation of the Yuma Desalting Plant as the solution to the agreement between the United States and Mexico preferred by all parties. Accordingly, the conferees direct the Bureau of Reclamation to expedite its modifications of the plant to accomplish state of the art operation, and accelerate the permitting and environmental compliance activities needed for operation of the plant. The Bureau of Reclamation is directed to report to the House and Senate Committees on Appropriations on the status of those activities within 180 days of enactment of this Act.

The amount provided for the Delta Division of the Central Valley Project includes: \$1,000,000 for the Bureau of Reclamation to continue design of an intertie between the Delta-Mendota Canal and the California Aqueduct; \$500,000 to continue oversight activities in coordination with the CALFED Program Implementation Plan; and \$1,000,000 to

continue activities associated with the enlargement of Los Vaqueros Reservoir.

The amount provided for the Friant Division of the Central Valley Project includes \$1,500,000 to continue Upper San Joaquin River Basin storage investigations.

The amount provided for Miscellaneous Project Programs of the Central Valley Project includes: \$400,000 for the Kaweah River Delta Corridor Enhancement Study; \$3,500,000 to continue work on Sacramento River fish screen projects; \$1,000,000 for the administration of storage, conveyance, water use efficiency, ecosystem restoration, science, and water transfer activities in support of the CALFED program; \$1,000,000 for technical assistance to the State of California; and an additional \$2,000,000 for the Environmental Water Account.

The amount provided for the Sacramento River Division of the Central Valley Project includes: an additional \$1,800,000 for the Glenn-Colusa Irrigation District fish passage improvement project, including funds for the Bureau of Reclamation to reimburse the Glenn-Colusa Irrigation District for costs incurred by the District in excess of its non-Federal cost-sharing requirement; \$1,250,000 to continue planning and study activities for Sites Reservoir, including an evaluation of the utilization of both the GCID Main Canal and the Tehama-Colusa Canal as a means to convey water to the proposed reservoir; and \$400,000 to continue work on the Colusa Basin Integrated Resources Management Plan.

The amount provided for the Shasta Division of the Central Valley Project includes \$750,000 to continue the evaluation of potential impacts of the proposed Shasta Dam raise.

The amount provided for the West San Joaquin Division of the Central Valley Project includes \$1,000,000 for implementation of the Westside Regional Drainage Plan. The conferees have not provided the funds requested for the payment of settlement costs in the case of *Sumner Peck Ranch v. Bureau of Reclamation*.

The conference agreement includes \$4,000,000 for the Salton Sea Research Project in California, including \$1,000,000 to continue environmental restoration efforts at the New and Alamo Rivers, including efforts in and around Calexico, California, \$1,000,000 to continue the Imperial Valley groundwater assessment in cooperation with Lawrence Livermore National Laboratory, and \$1,000,000 for additional work needed to prepare for the construction of pilot desalination and demonstration facilities.

The conferees have provided \$1,835,000 for the Southern California Investigations Program, including \$300,000 to continue the Chino Basin Conjunctive Use Project, and an additional \$400,000 for the Los Angeles Basin Watershed Water Supply Augmentation study.

The conference agreement includes bill language proposed by the House which provides that \$10,000,000 of the funds appropriated for Water and Related Resources shall be deposited in the San Gabriel Basin Restoration Fund to continue the program to design, construct, and operate projects to contain and treat the spreading groundwater contamination in the San Gabriel and Central Groundwater Basins in California.

The conference agreement includes \$52,000,000 for the Bureau of Reclamation to continue construction of the Animas-La Plata project in Colorado. The conferees are very concerned about the recently announced \$162,000,000 cost increase for this project. This cost increase threatens the project schedule set forth in the authorizing legislation and the ability of the Congress to continue to fund this important project. The

conferees direct the Bureau of Reclamation to submit to the Committees on Appropriations within 90 days of enactment of this Act, a detailed report on the cost increase, including an explanation of the elements that comprise the cost increase, the impact of the cost increase on the project schedule, and the need for additional authorization for completion of the project.

The conference agreement includes \$15,000,000 for the Columbia and Snake Rivers Salmon Recovery Project. The conference agreement does not include the \$4,000,000 requested by the Administration for construction activities that require additional authorization.

The conference agreement includes an additional \$270,000 for the Boise Area Projects in Idaho to offset costs associated with water service contract renewals for Lucky Peak Reservoir. The conferees direct the Bureau of Reclamation to not seek reimbursement of these funds from water users.

The conferees have provided an additional \$700,000 under the Oklahoma Investigations Program for the Bureau of Reclamation to continue studies of ways to better manage the resources of the Arbuckle-Simpson aquifer.

The conference agreement includes \$350,000 for the Bend Feed Canal element of the Deschutes Project in Oregon. The conferees understand that this funding will complete the Federal obligation for this project.

The conference agreement deletes bill language proposed by the Senate regarding the Mni Wiconi project in South Dakota. The amount appropriated for Water and Related Resources includes \$25,217,000 to continue construction of the Mni Wiconi project.

The conference agreement includes \$500,000 for the Bureau of Reclamation to continue a feasibility study of water supply infrastructure improvements in Park City, Utah. The Senate had proposed to fund this effort within the programs of the U.S. Army Corps of Engineers.

The conference agreement includes \$4,000,000 for the Drought Emergency Assistance Program. Within the funds provided, \$1,000,000 is for emergency assistance in Nebraska, \$1,000,000 is for assistance to the Navajo Nation in New Mexico and Arizona, and \$1,000,000 is for the completion of emergency wells in Santa Fe, New Mexico. The conference agreement includes language directing the Bureau of Reclamation to complete the Santa Fe wells project through a cooperative agreement with the City of Santa Fe. In addition, the conferees urge the Bureau of Reclamation to provide full and fair consideration to the request for drought assistance from the State of Hawaii. The conferees also encourage the Bureau of Reclamation to investigate the use of moisture sensor irrigation control systems and to give consideration to a demonstration project on Bureau property at the Boulder City, Nevada, office. The demonstration project would determine water savings that might be achieved by use of moisture sensor irrigation control systems where individual and separately adjustable moisture sensors are placed in each irrigation zone on a landscape to monitor and automatically terminate irrigation on a zone-by-zone basis.

The conference agreement includes \$12,871,000 for the Endangered Species Recovery Implementation Program, \$500,000 below the budget request. Of the amount provided, \$2,000,000 is for the program in the Platte River basin. The conferees are very concerned about the lack of clear authority for the Bureau of Reclamation to participate in this large, multi-year effort. Although the cost of the first increment of this program is currently estimated at \$75,000,000, the Bureau of Reclamation indicates that costs

could be as much as \$150,000,000. The only authority cited by the Bureau of Reclamation for its participation in this effort is the Endangered Species Act, which would seem to limit Reclamation's participation to addressing impacts of operation of its projects on the species at risk. The Commissioner of Reclamation testified that a specific authorization for the program would provide clearer guidance for the expenditure of funds. The conferees agree with that assessment and urge the Administration to work with the states and other Federal agencies to develop a specific authorization for this multi-year, multi-million dollar undertaking.

The conferees have provided \$3,980,000 for the Title XVI Water Reclamation and Reuse Program. Within the amount provided, \$2,000,000 is to continue support to the WaterReuse Foundation's research program, \$300,000 is for the Alamogordo, New Mexico desalination study, and \$200,000 is for the Bureau of Reclamation to work with local authorities in Hawaii on water reclamation and reuse opportunities as described in the Senate Report.

The conference agreement includes \$8,400,000 for the Bureau of Reclamation's new Western Water Initiative. Of the funds provided, \$1,000,000 is for the Desert Research Institute to address water quality and environmental issues in ways that will bring industry and regulators to mutually acceptable answers, \$1,750,000 is for efficiency improvements in the Middle Rio Grande Conservancy District, and \$1,000,000 is for the Bureau of Reclamation to enter into a strategic alliance with the International Center for Water Resources Management at Central State University in Ohio, the Ohio View Consortium, and Colorado State University for the development of advanced remote sensing technologies for use in operational decisions to deal with the current drought conditions, and to develop optimal strategies for managing water resources to deal with future constraining events. The House had proposed to fund this work under the Science and Technology Program. In addition, the conferees urge the Bureau of Reclamation to undertake a pilot project for innovative water conservation measures within the Klamath Basin project.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

The conference agreement includes \$200,000 for administrative expenses for the Bureau of Reclamation Loan Program as proposed by the House and the Senate.

CENTRAL VALLEY PROJECT RESTORATION FUND

The conference agreement appropriates \$39,600,000 for the Central Valley Project Restoration Fund as proposed by the House and the Senate.

Within the Anadromous Fish Restoration Program, the conferees urge the Bureau of Reclamation to use \$500,000 to facilitate cooperative efforts between the Bureau of Reclamation and local agencies or conservation entities in the Mill Creek Watershed to evaluate and undertake water diversion and fishery options on Mill Creek, and to develop guidelines for resource valuation and Restoration Fund crediting for restoration activities under the Central Valley Project Improvement Act.

The conference agreement includes language proposed by the House which provides that none of the funds made available from the Central Valley Project Restoration Fund may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA ECOSYSTEM RESTORATION

The conference agreement includes no funds in the California Bay-Delta Ecosystem

Restoration account as proposed by the House and the Senate.

The conferees have provided additional finds within the various units of the Central Valley Project under the Water and Related Resources account for activities that support the goals of the California Bay-Delta Ecosystem Restoration Program as proposed by the Senate. The conferees are aware that legislation to authorize this multi-year, multi-billion dollar program is under consideration by the Congress, but has yet to be enacted. Absent such an authorization, it will be difficult for the Congress to continue its support for this program. Therefore, the conferees strongly urge the parties involved to work to enact an authorization for the program so additional funding can be considered in the fiscal year 2005 appropriations cycle. The additional funds provided in support of the program are to be used as described in the Senate report except for storage investigations in the Upper San Joaquin Watershed, for which a total of \$1,500,000 is provided, and activities related to Sites Reservoir, for which a total of \$1,250,000 is provided.

Should funding requirements shift within the CALFED related activities funded within the Central Valley Project, the conferees would consider requests to reprogram funding within the designated CALFED items.

POLICY AND ADMINISTRATION

The conference agreement appropriates \$55,525,000 for Policy and Administration instead of \$56,525,000 as proposed by the House and instead of \$54,425,000 as proposed by the Senate.

The conference agreement does not include language proposed by the Senate regarding acquisitions made by the Department of the Interior of articles, materials and supplies manufactured outside the United States.

Contracting Out.—The conferees continue to be committed to increasing the contracting out of the Bureau of Reclamation's functions which can be reasonably performed in the private sector, particularly planning, engineering and design work. However, the conferees also believe that some Federal capability is necessary and needs to be maintained. The conferees are pleased that the Bureau achieved the 10 percent target for fiscal year 2003, and look forward to working with the Commissioner to further the Administration's initiative in this area with regard to the Bureau of Reclamation.

Underfinancing.—The conferees are very concerned about the way the Bureau of Reclamation applied underfinancing in the Water and Related Resources account for fiscal year 2003. The conferees recognize that the total amount of underfinancing and the lateness of the fiscal year 2003 appropriation placed the Bureau of Reclamation in a difficult situation. However, the conferees believe that in fiscal year 2003, the Bureau of Reclamation used underfinancing to inappropriately reduce funding for Congressional priorities to the benefit of its own priorities. The use of underfinancing is a recognition that during the course of the year, it is inevitable that some projects and activities will fall behind schedule for a wide variety of reasons. The conferees agree that underfinancing should be applied against those activities or projects. However, underfinancing should not be used to pick winners and losers. The conferees remind the Bureau of Reclamation that current law provides that, "Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law." (31 U.S.C. 1301). The best expression of the purposes for which funds are appropriated are the House and Senate reports which accompany appropriations acts. Under-

financing should not be used to subvert the will of the Congress as expressed in those documents. Accordingly, the conferees direct that the Bureau of Reclamation apply the amount of underfinancing provided in this Act proportionately to all projects and activities funded in the Water and Related Resources account. As the year progresses, the Bureau of Reclamation has available to it the normal reprogramming procedures to adjust the funding levels for individual projects or activities to reflect actual project performance.

WORKING CAPITAL FUND

The conference agreement rescinds \$4,525,000 of unobligated balances in the Working Capital Fund as proposed by the House and the Senate.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

Section 201. The conference agreement includes language proposed by the House and the Senate regarding the San Luis Unit and the Kesterson Reservoir in California.

Section 202. The conference agreement includes language proposed by the House and the Senate which prohibits the use of funds for any water acquisition or lease in the Middle Rio Grande or Carlsbad Projects in New Mexico unless the acquisition is in compliance with existing State law and administered under State priority allocation.

Section 203. The conference agreement includes language proposed by the House which amends Section 206 of Public Law 101-514 regarding water supply contracts for Sacramento County Water Agency and the San Juan Suburban Water District in California.

Section 204. The conference agreement includes language proposed by the House which authorizes and directs the Secretary of the Interior to amend the Central Valley Project water supply contracts for the Sacramento County Water Agency and the San Juan Suburban Water District by deleting a provision requiring a determination of annual water needs.

Section 205. The conference agreement includes language proposed by the House, modified to make technical corrections, regarding funds available in the Lower Colorado River Basin Development Fund. The Senate bill included a similar provision.

Section 206. The conference agreement includes language proposed by the House which provides that funds provided to the Bureau of Reclamation may be used for the payment of claims not exceeding \$5,000,000.

Section 207. The conference agreement includes language proposed by the Senate concerning drought emergency assistance.

Section 208. The conference agreement includes language proposed by the Senate regarding Endangered Species Act requirements on the Rio Grande River in New Mexico. The language has been amended to state that the restrictions on changes to water deliveries also apply to water stored in Heron Reservoir, to clarify that it only applies to Federal and non-Federal actions addressed in the March 17, 2003, Biological Opinion, and to provide that subsection (b) shall remain in effect for 2 years from the date of enactment of this Act.

The conferees recognize that the six Middle Rio Grande Pueblos (Sandia, Isleta, San Felipe, Cochiti, Santa Ana, and Santo Domingo) were not parties to the *Silvery Minnow v. Keys*, 333 F.3d 1109 (10th Cir. 2003) litigation. The conferees also recognize that the ruling of the three judge panel may potentially impact them. The conferees therefore direct the Secretary of the Interior to report to Congress, within 180 days of the enactment of this Act, on the impact of the ruling on the Pueblos' water rights and water deliveries with regard to the enforcement of the

silvery minnow biological opinion by the Bureau of Reclamation.

Section 209. The conference agreement includes language proposed by the Senate which reforms the Endangered Species Collaborative Program. The language has been amended to change the representation in the Collaborative Program executive committee and change the effective date of the section.

Section 210. The conference agreement includes language proposed by the Senate regarding the Tularosa Basin National Research Facility in New Mexico.

Section 211. The conference agreement includes language proposed by the Senate regarding feasibility studies undertaken in connection with CALFED-related activities.

Section 212. The conference agreement includes language proposed by the Senate regarding the Western Water Initiative.

Section 213. The conference agreement includes language proposed by the Senate amending the Hawaii Water Resources Act of 2000.

Section 214. The conference agreement includes language proposed by the Senate re-

garding contributions of the Western Area Power Administration to the Utah Reclamation Mitigation and Conservation Account.

Section 215. The conference agreement includes language proposed by the Senate regarding a feasibility study in the Tualatin River Basin in Oregon.

Section 216. The conference agreement includes language proposed by the Senate regarding Indian water rights settlements in the State of Arizona.

Section 217. The conference agreement includes language proposed by the Senate regarding the restoration of fish and wildlife habitat in the vicinity of Fallon, Nevada. The language has been amended to make technical corrections.

Section 218. The conference agreement includes language which extends the terms of Sacramento River Settlement Contracts.

Section 219. The conference agreement includes language which amends the authorization to construct temperature control devices at Folsom Dam in California.

Section 220. The conference agreement includes language authorizing the Secretary of

the Interior to undertake activities at Savage Rapids Dam in Oregon.

Section 221. The conference agreement includes language extending certain irrigation project contracts in Wyoming and Nebraska.

Provisions not included in the conference agreement.—The conference agreement does not include language proposed by the Senate regarding the Bureau of Reclamation program to provide grants to institutions of higher learning to support the training of Native Americans to manage their water resources. The fiscal year 2003 Energy and Water Development Appropriations Act made this provision permanent.

The conference agreement does not include language proposed by the Senate providing funds for the Middle Rio Grande project in New Mexico and the Lake Tahoe Regional Wetlands Development project in California and Nevada. Funding for those projects is included within the amount appropriated for Water and Related Resources.

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

----- BUDGET REQUEST ----- CONFERENCE -----
RESOURCES FACILITIES RESOURCES FACILITIES
MANAGEMENT OM&R OM&R

WATER AND RELATED RESOURCES

ARIZONA

AK CHIN INDIAN WATER RIGHTS SETTLEMENT ACT PROJECT.....	---	5,743	---	5,743	---	5,743
CENTRAL ARIZONA PROJECT, COLORADO RIVER BASIN.....	34,009	78	34,009	78	34,009	78
COLORADO RIVER BASIN SALINITY CONTROL PROJECT, TITLE I	751	10,499	751	10,499	751	10,499
COLORADO RIVER FRONT WORK AND LEVEE SYSTEM.....	3,500	---	4,500	---	4,500	---
FORT MCDOWELL SETTLEMENT ACT.....	1,000	---	1,000	---	1,000	---
NORTHERN ARIZONA INVESTIGATIONS PROGRAM.....	325	---	325	---	325	---
PHOENIX METROPOLITAN WATER RECLAMATION & REUSE PROJ...	250	---	250	---	250	---
SALT RIVER PROJECT.....	87	---	87	---	87	---
SOUTHERN ARIZONA WATER RIGHTS SETTLEMENT ACT PROJ.....	4,017	---	4,017	---	4,017	---
SOUTH/CENTRAL ARIZONA INVESTIGATIONS PROGRAM.....	775	---	775	---	775	---
TRES RIOS WETLANDS DEMONSTRATION.....	630	---	630	---	630	---
YUMA AREA PROJECTS.....	1,552	21,120	1,552	21,120	1,552	21,120

CALIFORNIA

CACHUMA PROJECT.....	751	665	751	665	751	665
CALIFORNIA INVESTIGATIONS PROGRAMS.....	215	---	215	---	215	---
CALLEGUAS MUNICIPAL WATER DISTRICT RECYCLING PROJECT..	700	---	1,100	---	1,100	---
CENTRAL VALLEY PROJECT:						
AMERICAN RIVER DIVISION.....	1,966	7,033	1,966	7,033	1,966	7,033
AUBURN-FOLSOM SOUTH UNIT.....	9,899	100	9,899	100	9,899	100

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
DELTA DIVISION.....	10,039	6,041	12,539	6,041
EAST SIDE DIVISION.....	1,465	2,450	1,465	2,450
FRIANT DIVISION.....	2,393	3,782	3,893	3,782
MISCELLANEOUS PROJECT PROGRAMS.....	13,284	1,087	21,184	1,087
REPLACEMENTS, ADDITIONS, & EXTRAORDINARY MAINT.....	---	24,000	---	14,000
SACRAMENTO RIVER DIVISION.....	4,215	1,808	7,665	1,808
SAN FELIPE DIVISION.....	745	---	745	---
SAN JOAQUIN DIVISION.....	383	---	383	---
SHASTA DIVISION.....	831	7,134	1,581	7,134
TRINITY RIVER DIVISION.....	7,616	2,970	7,616	2,970
WATER AND POWER OPERATIONS.....	1,800	11,076	1,800	11,076
WEST SAN JOAQUIN DIVISION, SAN LUIS UNIT.....	40,437	6,538	7,437	6,538
YIELD FEASIBILITY INVESTIGATION.....	1,000	---	1,000	---
LAKE TAHOE REGIONAL WETLANDS DEVELOPMENT.....	200	---	4,500	---
LONG BEACH AREA WATER RECLAMATION AND REUSE PROJECT...	1,100	---	1,800	---
LONG BEACH DESALINATION RESEARCH/ DEVELOPMENT PROJ.....	---	---	700	---
NAPA-SOMOMA-MARIN AGRICULTURAL REUSE PROJECT.....	---	---	500	---
NORTH SAN DIEGO COUNTY AREA WATER RECYCLING PROJECT...	1,300	---	3,000	---
ORANGE COUNTY REGIONAL WTR RECLAMATION PROJ, PHS 1	1,300	---	3,500	---
ORLAND PROJECT.....	41	445	41	445
PASADENA RECLAIMED WATER PROJECT.....	---	---	250	---
SALTON SEA RESEARCH PROJECT	1,000	---	4,000	---
SAN DIEGO AREA WATER RECLAMATION PROGRAM.....	4,300	---	4,300	---
SAN GABRIEL BASIN PROJECT.....	1,300	---	1,300	---
SAN GABRIEL BASIN RESTORATION PROJECT.....	---	---	10,000	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
COLORADO				
SAN JOSE WATER RECLAMATION AND REUSE PROGRAM.....	1,000	---	3,000	---
SANTA MARGARITA RIVER CONJUNCTIVE USE PROJECT.....	---	---	500	---
SOLANO PROJECT.....	1,522	2,693	1,522	2,693
SOUTHERN CALIFORNIA INVESTIGATIONS PROGRAM.....	1,135	---	1,835	---
WATSONVILLE AREA WATER RECYCLING PROJECT.....	---	---	1,500	---
VENTURA RIVER PROJECT.....	529	---	529	---
COLORADO				
ANIMAS-LA PLATA PROJECT, CRSP SECTIONS 5 & 8.....	58,000	---	52,000	---
COLLBRAN PROJECT.....	184	1,513	184	1,513
COLORADO-BIG THOMPSON PROJECT.....	12	10,198	12	10,198
COLORADO-BIG THOMPSON PROJECT - HORSETOOTH DAM.....	---	3,153	---	3,153
COLORADO INVESTIGATIONS PROGRAM.....	77	---	77	---
GRAND VALLEY UNIT, CRBSCP, TITLE II.....	206	546	206	546
PARADOX VALLEY UNIT, CRBSCP, TITLE II.....	52	2,050	52	2,050
FRUITGROWERS DAM PROJECT.....	69	145	69	145
FRYINGPAN-ARKANSAS PROJECT.....	---	5,443	200	5,443
LEADVILLE/ARKANSAS RIVER RECOVERY.....	593	1,838	593	1,838
MANCOS PROJECT.....	88	57	88	57
PINE RIVER PROJECT.....	141	113	141	113
SAN LUIS VALLEY PROJECT.....	356	4,237	356	4,237
UNCOMPAGHRE PROJECT.....	181	124	181	124

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	FACILITIES	RESOURCES	OM&R	MANAGEMENT	CONFERENCE	FACILITIES	OM&R
	RESOURCES	FACILITIES	RESOURCES	OM&R	MANAGEMENT	MANAGEMENT	MANAGEMENT	MANAGEMENT
HAWAII								
HAWAIIAN RECLAIM AND REUSE STUDY.....	---	---	---	---	100	---	---	---
IDAHO								
BOISE AREA PROJECTS.....	2,637	4,047	2,907	4,047	2,907	4,047	4,047	4,047
COLUMBIA AND SNAKE RIVER SALMON RECOVERY PROJECT.....	19,000	---	15,000	---	15,000	---	---	---
DRAIN WATER MANAGEMENT STUDY, BOISE.....	200	---	200	---	200	---	---	---
IDAHO INVESTIGATIONS PROGRAM.....	580	---	580	---	580	---	---	---
MINIDOKA AREA PROJECTS.....	3,459	2,041	3,459	2,041	3,459	2,041	2,041	2,041
MINIDOKA NORTHSIDE DRAIN WATER MANAGEMENT PROJECT.....	200	---	200	---	200	---	---	---
KANSAS								
KANSAS INVESTIGATIONS PROGRAM.....	143	---	143	---	143	---	---	---
WICHITA PROJECT.....	7	208	7	208	7	208	208	208
MONTANA								
FORT PECK DRY PRAIRIE RURAL WATER SYSTEM.....	---	---	7,500	---	7,500	---	---	---
HUNGRY HORSE PROJECT.....	---	1,056	---	1,056	---	---	1,056	1,056
MILK RIVER PROJECT.....	1,045	558	1,045	558	1,045	558	558	558
MONTANA INVESTIGATIONS.....	533	---	533	---	533	---	---	---
N. CENTRAL MT. RURAL WATER SUPPLY SYSTEM (ROCKY BOYS) .	---	---	---	---	915	---	---	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	FACILITIES	RESOURCES	OM&R	MANAGEMENT	RESOURCES	FACILITIES	OM&R	MANAGEMENT	RESOURCES	FACILITIES	OM&R	MANAGEMENT
NEBRASKA													
MIRAGE FLATS PROJECT.....								58					
NEBRASKA INVESTIGATIONS PROGRAM.....			191							191			
SANTEE SIOUX RESERVATION WATER SYSTEM.....										300			
NEW MEXICO													
ALBUQUERQUE METRO AREA WATER & RECLAMATION REUSE.....										1,360			
CARLSBAD PROJECT.....	2,036					1,056				2,036			1,056
EASTERN NEW MEXICO WATER SUPPLY.....										175			
MIDDLE RIO GRANDE PROJECT.....	6,467	10,921								16,567	17,921		
NAVAJO NATION INVESTIGATIONS PROGRAM.....	300									300			
NAVAJO-GALLUP WATER SUPPLY PROJECT.....	391									500			
PECOS RIVER BASIN WATER SALVAGE PROJECT.....						127							327
RIO GRANDE PROJECT.....	796	3,186								796	3,186		
SAN JUAN RIVER BASIN INVESTIGATIONS PROGRAM.....	179									179			
SANTA FE-WATER RECLAMATION AND REUSE PROJECT.....										400			
TUCUMCARI PROJECT.....	104					4				104			4
NEVADA													
CITY OF NORTH LAS VEGAS WATER REUSE, NV.....										1,000			
HALFWAY WASH PROJECT STUDY.....	100									500			
LAHONTAN BASIN PROJECT (HUMBOLT, NEWLANDS, WASHOE)....	6,467	2,446								6,467	2,446		

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	FACILITIES	OM&R	RESOURCES	MANAGEMENT	CONFERENCE	FACILITIES	OM&R
	RESOURCES	MANAGEMENT				RESOURCES	MANAGEMENT	
LAKE MEAD /LAS VEGAS WASH PROGRAM.....	1,408		---			1,408		---
SOUTHERN NEVADA WATER RECYCLING PROJECT.....	---		---			3,000		---
NORTH DAKOTA								
DAKOTAS INVESTIGATIONS PROGRAM.....	223		---			223		---
DAKOTAS TRIBES INVESTIGATIONS PROGRAM.....	326		---			326		---
PICK-SLOAN MISSOURI BASIN PROGRAM, GARRISON DIVERSION.	13,928		3,386			24,000		3,386
OKLAHOMA								
ARBUCKLE PROJECT.....	---		205			---		205
MC GEE CREEK PROJECT.....	---		460			---		460
MOUNTAIN PARK PROJECT.....	---		267			---		267
NORMAN PROJECT.....	250		176			250		176
NORTH FORK OF THE RED RIVER PROJECT.....	---		---			150		---
OKLAHOMA INVESTIGATIONS PROGRAM.....	188		---			888		---
W.C. AUSTIN PROJECT.....	---		314			---		314
WASHITA BASIN PROJECT.....	---		887			---		887
OREGON								
CROOKED RIVER PROJECT.....	212		465			212		465
DESCHUTES ECOSYSTEM RESTORATION PROJECT.....	500		---			900		---
DESCHUTES PROJECT.....	418		155			418		155

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
DESCHUTES PROJECT, TUMALO, BEND FEED CANAL.....	---	---	350	---
DESCHUTES PROJECT, WICKIUP DAM.....	---	3,000	---	3,000
EASTERN OREGON PROJECTS.....	781	280	781	280
GRANDE RONDE WATER OPTIMIZATION STUDY.....	100	---	100	---
KLAMATH PROJECT.....	20,041	776	22,041	3,376
OREGON INVESTIGATIONS PROGRAM.....	620	---	620	---
ROGUE RIVER BASIN PROJECT, TALENT DIVISION.....	554	172	554	172
TUALATIN PROJECT.....	287	127	287	127
UMATILLA BASIN PROJECT, PHASE III STUDY.....	200	---	200	---
UMATILLA PROJECT, OR.....	601	2,101	601	2,101
WESTLANDS-RAMOS, OR.....	---	---	200	---
WILLOW LAKE NATURAL TREATMENT SYSTEM, OR.....	---	---	300	---
SOUTH DAKOTA				
LEWIS & CLARK RURAL WATER PROJECT.....	---	---	17,000	---
MID-DAKOTA RURAL WATER PROJECT.....	2,000	15	15,000	15
MNI WICONI PROJECT.....	6,717	6,254	25,217	6,254
PERKINS COUNTY RURAL WATER DISTRICT.....	---	---	1,000	---
RAPID VALLEY PROJECT, DEERFIELD DAM.....	---	28	---	28
TEXAS				
CANADIAN RIVER PROJECT.....	---	117	---	117
EL PASO WATER RECLAMATION AND REUSE.....	---	---	370	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
STORAGE DAM FISH PASSAGE FEASIBILITY STUDY.....	550	---	250	---
TULALIP TRIBES WATER QUALITY FEASIBILITY STUDY.....	50	---	100	---
WASHINGTON INVESTIGATIONS PROGRAM.....	525	---	525	---
YAKIMA PROJECT.....	1,179	6,066	1,179	6,066
YAKIMA PROJECT, KEECHELUS DAM, SOD.....	---	3,700	---	3,700
YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.....	12,730	---	12,730	---
YAKIMA RIVER BASIN WATER STORAGE	---	---	1,500	---
WYOMING				
KENDRICK PROJECT.....	6	4,048	6	4,048
NORTH PLATTE PROJECT.....	10	1,038	10	1,038
SHOSHONE PROJECT.....	10	1,193	10	1,193
VARIOUS				
COLORADO RIVER BASIN SALINITY CONTROL PROJECT, TITLE I	9,198	---	9,198	---
COLORADO RIVER STORAGE PROJECT, (CRSP), SECTION 5.....	7,553	2,469	7,553	2,469
COLORADO RIVER STORAGE PROJECT, SECTION 8.....	4,914	---	3,992	---
COLORADO RIVER WATER QUALITY IMPROVEMENT PROGRAM.....	450	---	450	---
DAM SAFETY PROGRAM:				
DEPARTMENT DAM SAFETY PROGRAM.....	---	1,700	---	1,700
INITIATE SOD CORRECTIVE ACTION.....	---	40,900	---	38,900
SAFETY EVALUATION OF EXISTING DAMS.....	---	18,000	---	18,000
SAFETY OF DAMS CORRECTIVE ACTION STUDIES.....	---	500	---	500

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
DEPARTMENTAL IRRIGATION DRAINAGE PROGRAM.....	2,623	---	3,623	---
DROUGHT EMERGENCY ASSISTANCE.....	1,120	---	4,000	---
EFFICIENCY INCENTIVES PROGRAM.....	3,265	---	3,515	---
EMERGENCY PLANNING & DISASTER RESPONSE PROGRAM.....	---	450	---	450
ENDANGERED SPECIES RECOVERY IMPLEMENTATION.....	13,371	---	12,871	---
ENVIRONMENTAL & INTERAGENCY COORDINATION ACTIVITIES...	1,804	---	1,804	---
ENVIRONMENTAL PROGRAM ADMINISTRATION.....	1,483	---	1,483	---
EXAMINATION OF EXISTING STRUCTURES.....	---	5,521	---	5,521
FEDERAL BUILDING SEISMIC SAFETY PROGRAM.....	---	1,575	---	1,575
GENERAL PLANNING STUDIES.....	1,989	---	2,089	---
LAND RESOURCES MANAGEMENT PROGRAM.....	8,994	---	8,994	---
LOWER COLORADO RIVER OPERATIONS PROGRAM.....	13,822	---	13,822	---
LOWER COLORADO RIVER INVESTIGATIONS PROGRAM.....	325	---	525	---
MISCELLANEOUS FLOOD CONTROL OPERATIONS.....	---	639	---	639
NATIVE AMERICAN AFFAIRS PROGRAM.....	8,600	---	8,600	---
NEGOTIATION & ADMINISTRATION OF WATER MARKETING.....	1,571	---	1,571	---
OPERATION & MAINTENANCE PROGRAM MANAGEMENT.....	344	1,029	344	1,029
PICK-SLOAN MISSOURI BASIN PROGRAM, OTHER PROJECTS.....	2,998	34,709	2,998	34,709
POWER PROGRAM SERVICES.....	991	250	1,141	250
PUBLIC ACCESS AND SAFETY PROGRAM.....	565	---	565	---
RECLAMATION LAW ADMINISTRATION.....	4,491	---	4,491	---
RECLAMATION RECREATION MANAGEMENT.....	2,800	---	2,800	---
RECREATION AND FISH & WILDLIFE PROGRAM ADMIN.....	1,720	---	1,720	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES	FACILITIES	RESOURCES	FACILITIES
	MANAGEMENT	OM&R	MANAGEMENT	OM&R
SCIENCE AND TECHNOLOGY PROGRAM:				
ADVANCED WATER TREATMENT DESALINATION PROGRAM.....	2,000	---	2,000	---
APPLIED SCIENCE/TECHNOLOGY AND DEVELOPMENT.....	4,190	---	4,190	---
DESALINATION RESEARCH AND DEVELOPMENT PROGRAM.....	775	---	7,375	---
HYDROELECTRIC INFRASTRUCTURE PROTECTION/ENHANCE..	990	---	990	---
TECHNOLOGY ADVANCEMENT.....	350	---	350	---
WATERSHED/RIVER SYSTEMS MANAGEMENT PROGRAM.....	1,000	---	1,000	---
SITE SECURITY.....	---	28,583	---	28,583
SOIL AND MOISTURE CONSERVATION.....	267	---	267	---
TECHNICAL ASSISTANCE TO STATES.....	1,908	---	1,908	---
TITLE XVI, WATER RECLAMATION AND REUSE PROGRAM.....	1,430	---	3,980	---
WATER MANAGEMENT & CONSERVATION PROGRAM.....	6,639	---	6,639	---
WESTERN WATER INITIATIVE.....	11,000	---	8,400	---
WETLANDS DEVELOPMENT.....	---	---	1,000	---
UNDISTRIBUTED REDUCTION BASED ON ANTICIP DELAYS.....	-40,030	---	-53,945	-7,133
	=====	=====	=====	=====
TOTAL, WATER AND RELATED RESOURCES.....	422,965	348,252	518,579	338,919
	=====	=====	=====	=====

TITLE III

DEPARTMENT OF ENERGY

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Department of Energy. Additional items of conference agreement are discussed below.

SAFEGUARDS AND SECURITY FUNDING

The conferees agree with House concerns about the problems with direct funding of safeguards and security and the desirability of returning to indirect funding of these costs, with appropriate controls and reporting. However, the conferees also recognize the difficulty in making such a shift in one fiscal year, and that safeguards and security requirements may change significantly with implementation of the revised Design Basis Threat. Therefore, the conferees instruct the Department to continue budgeting safeguards and security funding as a separate line item in fiscal year 2005, and to transition back to indirect funding of these costs beginning in fiscal year 2006. The conferees are receptive to a phased implementation during this transition period, beginning with single-purpose projects and sites in fiscal year 2006 and addressing the more complex multi-program sites in subsequent fiscal years.

HOMELAND SECURITY-RELATED WORK

The conferees concur with the House-proposed requirement for an annual report on all homeland security work being performed by Department of Energy (DOE) contractors, including direct funded DOE work, work for other agencies, laboratory directed research and development, and work funded via any other funding mechanism.

PROJECT MANAGEMENT

The conferees support language included in the House report regarding the efforts to improve the Department's construction and project management.

FACILITIES AND INFRASTRUCTURE

The conferees agree with House language regarding the need to strengthen and standardize management of the Department's facilities and infrastructure (F&I) activities throughout all programs of the Department. The conferees urge the Department to compete contracts for the decontamination, decommissioning, and demolition of excess facilities to the maximum extent practicable, and to identify the costs for removing these excess facilities in construction project data sheets.

SAFETY AT DOE FACILITIES

The conferees concur with the House language requiring an annual report on the backlog of safety deficiencies at National Nuclear Security Administration and defense cleanup sites and the estimated cost and schedule for corrective actions.

LABORATORY DIRECTED RESEARCH AND DEVELOPMENT

The conferees agree with the House concerns regarding the Laboratory Directed Research and Development (LDRD) program and with the guidance to streamline the annual LDRD report to Congress.

AUGMENTING FEDERAL STAFF

The conferees agree that the number of management and operating contractor employees assigned to the Washington metropolitan area shall not exceed 220 in fiscal year 2004, the same as the fiscal year 2003 ceiling. The reporting requirements remain as proposed by the House.

STRATEGIC INITIATIVE AND BUSINESS DEVELOPMENT FUNDS

The conferees agree with the guidance provided in the House report.

REPROGRAMMING GUIDELINES

The conferees require the Department to promptly and fully inform the House and Senate Committees on Appropriations when a change in program execution or funding is required during the fiscal year. A reprogramming includes the reallocation of funds from one activity to another within an appropriation, or any significant departure from a program, project, or activity described in the agency's budget justification as presented to and approved by Congress. For construction projects, a reprogramming constitutes the reallocation of funds from one construction project identified in the justifications to another project or a significant change in the scope of an approved project.

A reprogramming should be made only when an unforeseen situation arises, and then only if delay of the project or the activity until the next appropriations year would result in a detrimental impact to an agency program or priority. The Department should not submit reprogrammings in the fourth quarter of the fiscal year unless necessitated by an unforeseeable change in external circumstances. Reprogrammings may also be considered if the Department can show that significant cost savings can accrue by increasing funding for an activity. Mere convenience or desire should not be factors for consideration.

Reprogrammings should not be employed to initiate new programs or to change program, project, or activity allocations specifically denied, limited, or increased by Congress in the Act or report. In cases where unforeseen events or conditions are deemed to require such changes, proposals shall be submitted in advance to the Committees and be fully explained and justified.

The conferees have not provided statutory language to define the reprogramming guidelines, but do expect the Department to follow the spirit and the letter of the guidance provided in this report. The conferees have not provided the Department with any internal reprogramming flexibility in fiscal year 2004, unless specifically identified in the House, Senate, or conference reports. Any reallocation of new or prior year budget authority or prior year deobligations must be submitted to the Committees in writing and may not be implemented prior to approval by the Committees on Appropriations.

REDUCTIONS NECESSARY TO ACCOMMODATE SPECIFIC PROGRAM DIRECTIONS

The Department is directed to provide a report to the House and Senate Committees on Appropriations by March 30, 2004, on the actual application of any general reductions of funding or applications of prior year balances contained in this conference agreement. Such reductions are to be applied proportionately against each program, project, or activity. If necessary, the Department must submit a reprogramming to reallocate funds if the proportional reduction unduly impacts a specific program, project, or activity.

ENERGY SUPPLY

The conference agreement provides \$737,537,000 for Energy Supply instead of \$691,534,000 as proposed by the House and \$920,357,000 as proposed by the Senate.

RENEWABLE ENERGY RESOURCES

The conference agreement provides \$344,400,000 instead of \$330,144,000 as proposed by the House and \$358,476,000 as proposed by the Senate for renewable energy resources. The conference agreement does not include language specifying funding allocations as contained in the House and Senate reports. As in fiscal year 2003, funds for Renewable Energy Resources shall remain available until expended.

Biomass/biofuels.—The conference agreement includes \$75,000,000 for biomass/biofuels. As in prior fiscal years, the conferees have combined the subprograms for power systems and transportation into a single program for biomass/biofuels and no longer provide separate allocations for power systems and transportation. The conference agreement includes \$20,000,000, the amount of the request, for the Bioconversion Production Integration Program.

The conference agreement includes \$3,000,000 for the Consortium for Plant Biotechnology Research (CPBR), of which \$750,000 is for CPBR research in Ohio and \$1,000,000 is for CPBR research at the University of Kentucky; \$1,000,000 for the E-Diesel research project by the National Corn Growers Association; \$1,000,000 for the Iowa State University Center for Catalysis; \$1,000,000 for work on biobased products by the New Uses Information and Entrepreneur Development Center in Belvidere, Illinois; \$300,000 for the University of Louisville Ethanol Production from Biomass large-scale facility design project; \$2,000,000 for the development of sustainable biobased products and bioenergy at Purdue University in cooperation with the Midwest Consortium for Sustainable Biobased Products and Bioenergy; \$3,000,000 for continued work on the Gridley Rice Straw Project; \$1,000,000 for the McMinnville Biodiesel Project; \$960,000 for the Mount Mass CC Bio Wood Gasification Project; and \$200,000 for the North Central Texas Dairy Waste Control Pilot Project.

The conference agreement includes \$1,000,000 for the Mississippi State Biodiesel Production Project; \$1,000,000 for Maine Forest Bioproducts research and development; \$1,000,000 for the University of Tennessee Switchgrass Demonstration Project; \$250,000 for clean energy from the gasification of switchgrass at Iowa State University; \$300,000 for the Missouri Soybean Association biodiesel demonstration; and \$500,000 for research in Nebraska on improved soybean oil for biodiesel fuel.

The conference agreement includes \$2,000,000 for the Regional Biomass Energy Program; \$750,000 for the On-Farm Small Scale Waste Energy Demonstration Project; \$1,000,000 for the Oxydiesel demonstration program in California and Nevada; \$500,000 for a biorefinery at the Louisiana State University Agricultural Center; \$500,000 for the Center for Biomass Utilization at the University of North Dakota; \$400,000 for the Vermont Biomass Energy Center; \$250,000 for the biomass/cogeneration project at North Country Hospital; \$500,000 for the gasification of switchgrass at the University of Iowa; \$1,000,000 for the Ag-Based Industrial Lubricants Center at the University of Northern Iowa; and \$2,000,000 for the Michigan Biotechnology Initiative. In addition, the conferees direct the Department to continue the Iowa switchgrass project at agreed-upon levels.

Geothermal.—The conference agreement includes \$26,000,000 for geothermal activities. The conferees direct the Department to continue funding university research and Geopowering the West at the fiscal year 2003 funding level. The conference agreement includes \$1,000,000 for the Full Circle Project in Lake County, California, and \$1,000,000 for geothermal research at the University of Nevada-Reno.

Hydrogen.—The conference agreement includes \$78,000,000 for hydrogen activities. The conferees remind the Department that the requirements for competition and industry cost sharing, as specified in the Hydrogen Future Act of 1996 (P.L. 104-271, 42 U.S.C. 12403), apply to this research, and urge the Department to compete the hydrogen research program to the fullest extent possible.

From within available funds, the Department is directed to spend not less than \$2,500,000 for a competitive solicitation for solid oxide fuel cell research. The conference agreement also includes \$1,000,000 for the Lansing Community College Alternative Energy Center; \$3,000,000 for the Edison Materials Technology Center to develop improved materials to support the hydrogen economy; \$3,000,000 for the National Center for Manufacturing Sciences to develop advanced manufacturing technologies for renewable energy applications; \$2,000,000 for the HI-Way Initiative in New York State; \$1,000,000 for the Shared Technology Transfer Program by Nicholls State University; \$2,000,000 for the Florida Hydrogen Partnership; \$2,000,000 for fuel cell research by the University of South Florida; \$2,000,000 for fuel cell development for distributed generation and carbon sequestration in Northwest Indiana; \$3,000,000 for the Hydrogen Regional Infrastructure Program in Pennsylvania; \$955,000 for the Evermont hydrogen electrolyzer project; \$300,000 for the residential fuel cell demonstration by the Delaware County Electric Cooperative; and \$2,200,000 for the Expanding Clean Energy Research and Education Program at the University of South Carolina.

The conference agreement includes \$750,000 for the Hydrogen Futures Park at the University of Montana; \$2,000,000 for the Fuel Cell Mine Loader and Prototype Locomotive; \$3,000,000 for the evaluation of solar-powered thermo-chemical production of hydrogen from water at the University of Nevada-Las Vegas; \$3,000,000 for the University of Nevada-Las Vegas renewable hydrogen fueling station system; \$500,000 for the Startech Hydrogen Production Project; \$2,000,000 for the hydrogen fuel cell project for the Regional Transportation Commission of Washoe County, Nevada; \$500,000 for the Hawaii Hydrogen Center for Development and Deployment of Distributed Energy Systems; and \$500,000 for the Smart Energy Management Control System.

Hydropower.—The conference agreement provides \$5,000,000 for hydropower, including \$400,000 to assess low head and low power hydropower resources.

Solar Energy.—The conference agreement includes \$85,000,000 for solar energy programs. As in prior fiscal years, the conferees have combined the concentrating solar power, photovoltaic energy systems, and solar building technology subprograms into a single program for solar energy, with the control level at the solar energy program account level.

The conferees include \$5,500,000 from within available funds for concentrating solar power (CSP). Of these funds, \$1,000,000 is provided for industry based 20–25 kW Dish-Stirling and the Department is directed to continue with deployment of the 1.0 MW dish engine project. If the Department needs more than \$5,500,000 in fiscal year 2004 to regain lost momentum in the CSP program, the conferees urge the Department to seek a reprogramming.

The conference agreement includes \$250,000 for the solar energy project in Yucca Valley, California; \$400,000 for the Center for Ecological Technology; and \$500,000 for the Hackensack University Green Building Medical Center. The Department should continue funding for the Southeast and Southwest photovoltaic experiment stations and the Million Solar Roofs program at current year levels.

Zero Energy Buildings.—The conference agreement does not provide any separate funds for Zero Energy Buildings in fiscal year 2004, although the Department is directed to spend up to \$4,000,000 of available funds within Solar Energy for Zero Energy Building activities related to solar energy. If

the Department seeks funds for Zero Energy Buildings in fiscal year 2005, it should request those funds as part of its Interior and Related Agencies appropriation request.

Wind.—The conference agreement includes \$41,600,000 for wind programs. The conference agreement includes \$147,000 for a wind farm feasibility study by Saint Francis University; \$300,000 for the Saginaw Chippewa Wind Energy Development Project; \$500,000 for the Vermont Wind Energy Program; and \$1,000,000 to continue the ongoing wind turbine effort in Bellevue, Washington. The Wind Powering America initiative is to be continued at last year's funding level. The conferees continue to recognize the need for a set-aside for small wind programs. The conferees are aware that the potential for expanding wind generated energy to new locations is significant, but further development in the Dakotas and the Upper Midwest is stymied by transmission constraints. The conferees are committed to developing the potential of wind energy in the United States and especially on tribal lands. The conferees direct the Department to work with the transmission industry to conduct a comprehensive analysis of upper Midwest wind energy locations and transmission requirements and to report to the Committees on Appropriations by May 31, 2004.

Electricity Reliability.—The funds originally requested for Electricity Reliability are provided under the new Electricity Transmission and Distribution account within the Energy Supply appropriation, as requested by the Department.

Intergovernmental Activities.—The conference agreement includes \$15,000,000 for renewable support and implementation. This amount includes \$6,000,000 for the international renewable energy program, including \$2,000,000 for the International Utility Efficiency Partnership (IUEP); \$5,000,000 for tribal energy activities, including \$1,000,000 for the Council of Renewable Energy Tribes (CERT), \$1,300,000 for the Intertribal Council on Utility Policy, and \$1,000,000 for the Pyramid Lake Paiute Tribe Renewable Energy Park; and \$4,000,000 for the Renewable Energy Production Incentive (REPI). From within available funds, the conference agreement provides \$750,000 for the Renewable Energy Policy Project.

The conferees adopt the Senate proposal for the Clean Energy Technology Exports (CETE) initiative, requiring the interagency group, through the Department of Energy and other Federal agency partners, to provide the Appropriations Committees with a report, no later than January 15, 2004, on the status of the implementation of the strategic plan and specific actions that each of the participating agencies have taken in fiscal year 2003 and will take in fiscal year 2004 to engage non-governmental, private sector, and other international partners. In addition, the conferees direct the Department to make \$400,000 available to establish an interagency CETE center in the Office of International Energy Market Development. All energy technology program offices and other agencies participating in the CETE initiative are urged to contribute to this nine-agency effort. To provide further leverage for this initiative, the Department should also consider establishing a Federal Advisory Committee Act board and complementary demonstration and deployment efforts.

Renewable Support and Implementation.—The conference agreement provides \$6,000,000, including \$2,000,000 for departmental energy management and \$4,000,000 to continue the efforts of the National Renewable Energy Laboratory (NREL) to develop renewable energy resources uniquely suited to the Southwestern United States through its virtual site office in Nevada.

National Climate Change Technology Initiative.—The conferees provide no funds for this initiative, consistent with the rationale provided in the House and Senate reports.

Facilities and Infrastructure.—The conference agreement provides the requested amount of \$4,200,000 for the National Renewable Energy Laboratory (NREL) and includes an additional \$4,000,000 to initiate construction of the new Science and Technology facility at NREL (project 02-EERE-001). Funding for the new Energy Reliability and Efficiency Laboratory at Oak Ridge National Laboratory (project 04-E-TBD) is provided in the new Electricity Transmission and Distribution account. The conference agreement includes \$5,000,000 for the National Center on Energy Management and Building Technologies.

Program direction.—The conference agreement includes \$12,600,000 for program direction.

Use of prior year balances.—The conference agreement includes the use of \$13,000,000 of prior year funds carried over from fiscal year 2003 to offset fiscal year 2004 requirements.

ELECTRICITY TRANSMISSION AND DISTRIBUTION

The conference agreement provides \$82,377,000 for the new Office of Electricity Transmission and Distribution, \$5,000,000 over the requested amount. The conferees provide the additional \$5,000,000 for the Department of Energy to complete its investigation into the causes of the August 14th, 2003 blackout. These funds shall be used to conduct an extensive investigation, to include modeling and analysis, of the various electrical and System Control and Data Analysis (SCADA) systems, the reliability rules, systems operations and other factors, such as cyber situations and disturbances, that might have caused or contributed to the outage.

Within available funds, the conferees urge the Department to continue its high temperature superconductivity research and development program at the requested level of \$47,838,000. The conference agreement also includes the requested \$750,000 for the new Energy Reliability and Efficiency Laboratory at Oak Ridge National Laboratory (project 04-E-TBD), and removes the industry cost sharing requirement for this facility as proposed in the budget request. The industry cost sharing requirement applies to research activities, not to construction of this new facility. The Department should include full funding for the construction and operation of the facility in future budget requests.

The conference agreement includes \$4,000,000 to continue research on aluminum matrix composite conductors; \$3,000,000 for research into lead carbon acid asymmetric supercapacitors; \$300,000 for research on advanced ceramic engines and materials for energy applications; \$1,000,000 for a joint research program between Wright State University and the University of Albany, in collaboration with Wright Patterson Air Force Base, to enhance the performance of second-generation, high temperature coated superconductors; \$2,000,000 for the PowerGrid simulator at Drexel University and the New Jersey Institute of Technology; \$500,000 for the Center for Distributed Generation and Thermal Distribution at Washington State University; \$1,000,000 for electricity transmission research at the University of Missouri-Rolla; \$300,000 for research at the Georgia Institute of Technology on the use of recycled carpet as fuel for kilns; \$1,000,000 for distributed generation projects in Northwest Indiana; \$2,000,000 for the Connecticut Power Technologies project; \$3,000,000 for the Electric Infrastructure Technology, Training, and Assessment Program in Pennsylvania; and \$1,000,000 for the Indian Point Energy Center Study in New York.

The conference agreement includes \$3,000,000 for the Navajo electrification demonstration program; \$1,000,000 to continue development of the bipolar nickel metal hydride battery storage system; \$250,000 for the Microgrid distributed generation prototype in Vermont; \$500,000 for the Natural Energy Laboratory in Hawaii to continue development and deployment of distributed energy systems; \$2,000,000 for research, development, and demonstration of advanced thermal energy storage technology integrated with renewable thermal energy technology; and \$400,000 for the Diné Power Authority.

NUCLEAR ENERGY

The conference agreement provides \$300,763,000 for nuclear energy activities instead of \$268,016,000 as proposed by the House and \$437,422,000 as proposed by the Senate. The conference agreement does not include language specifying funding allocations as contained in the House and Senate reports. With the designation of the Office of Nuclear Energy, Science and Technology as the lead office with landlord responsibilities for the Idaho site, \$112,306,000 of costs are allocated to the 050 budget function and are funded in the Other Defense Activities account. The Department should follow this structure in its fiscal year 2005 budget submission.

Radiological Facilities Management.—The Office of Nuclear Energy, Science and Technology operates a variety of facilities and equipment to support the needs of space, defense, and medical customers who obtain radiological materials from the Department of Energy on a reimbursable basis.

Space and defense power systems infrastructure.—The conference agreement includes \$36,230,000 to maintain the infrastructure necessary to support future national security needs and National Aeronautics and Space Administration missions.

Medical isotopes infrastructure.—The conference agreement includes \$28,425,000 for the medical isotope program. From within available funds, the Department is directed to provide \$4,000,000 for upgrades of radiological facilities at Oak Ridge National Laboratory.

University reactor fuel assistance and support.—The conference agreement includes \$23,500,000, an increase of \$5,000,000 over the budget request. The conferees provide an additional \$2,500,000 to fund more regional university reactor consortia, and the conferees strongly encourage the Department to request sufficient funding in future years to fund all meritorious proposals. The conferees also provide an additional \$2,500,000 to pay for the university costs of transporting spent nuclear fuel from university reactors. The conferees encourage the Department to support the new graduate program in nuclear engineering at the University of South Carolina and the new program being considered at the University of Nevada-Las Vegas.

Research and development.—The conference agreement provides \$132,500,000 for nuclear energy research and development activities, an increase of \$5,475,000 over the budget request. The conference agreement includes \$3,000,000 for nuclear energy plant optimization (NEPO), \$11,000,000 for the nuclear energy research initiative (NERI), \$44,000,000 for nuclear energy technologies, \$6,500,000 for the nuclear hydrogen initiative, and \$68,000,000 for the Advanced Fuel Cycle Initiative (AFCI).

Within the funds provided for NEPO, the conferees include \$1,000,000 to expand the transfer of the Mechanical Stress Improvement Process (MSIP) technology to other countries in the former Soviet Union.

Of the \$44,000,000 made available for nuclear energy technologies, \$20,000,000 is for Nuclear Power 2010 and \$24,000,000 is for the Generation IV initiative. The Department is

directed to use \$15,000,000 provided under the Generation IV initiative to begin the research, development, and design work for an advanced reactor hydrogen co-generation project at Idaho National Laboratory.

The \$6,500,000 made available for the nuclear hydrogen initiative includes \$2,000,000 to support research and development on high temperature electrolysis and sulfur-iodine thermochemical technologies necessary to support the advanced reactor hydrogen co-generation project at Idaho National Laboratory, and \$2,000,000 for the University of Nevada-Las Vegas Research Foundation to continue the development, in partnership with industry and national laboratories, of an efficient high temperature heat exchanger.

Within the funds available for AFCI, the conference agreement includes \$2,000,000 for the Idaho Accelerator Center; \$3,500,000 for the University of Nevada-Las Vegas; and \$3,000,000 for directed research aimed at enhancing university-based collaborations on AFCI. The conferees also direct the Secretary to conduct the study, described in more detail in the Senate report, to identify the necessary capacities and time scales for implementation of advanced recycle technologies, and to report to Congress by March 2005 with quantitative goals for the AFCI work. The conferees expect the Department to partner with universities and industry, as well as use existing expertise at national laboratories, in this effort.

Idaho Facilities Management.—The conference agreement provides \$42,615,000 for ANL-West operations, including an additional \$5,000,000 for the addition of a high temperature gas loop in the Advanced Test Reactor and \$6,000,000 for deferred landlord activities and critical infrastructure needs. The conference agreement provides \$31,605,000 for infrastructure at the Idaho National Engineering and Environmental Laboratory (INEEL), of which \$21,415,000 is allocated to the 050 budget function. The conference agreement provides the requested amounts of \$500,000 for project 95-E-201 and \$1,840,000 for project 99-E-200, both at the Test Reactor Area.

Idaho Sitewide Safeguards and Security.—The conference agreement provides \$56,654,000 for Idaho sitewide safeguards and security. Consistent with the request, all of these costs are assigned to the 050 budget function.

Program direction.—The conference agreement includes \$59,200,000 for program direction. Of this amount, \$34,815,000 is assigned to the 050 budget function.

Funding adjustments.—The conferees direct the Department to use \$20,000,000 of prior year funds to meet a portion of the Department's liability stemming from the termination of the contract with the Ohio Valley Electric Corporation for power to supply the Portsmouth Gaseous Diffusion Plant. The conference agreement also includes an offset of \$112,306,000 from Other Defense Activities, which represents the contribution for the defense share of costs at the Idaho site.

ENVIRONMENT, SAFETY AND HEALTH

The conference agreement provides \$23,000,000 for non-defense environment, safety and health activities, which include \$16,000,000 for program direction. The conference agreement includes the transfer of \$2,000,000 to the Occupational Safety and Health Administration (OSHA) for the costs of OSHA regulation of worker health and safety at DOE's non-nuclear facilities not covered under the Atomic Energy Act, and to complete the ongoing safety audits of DOE's ten Science laboratories. The conferees concur with the revised date of May 31, 2004, as proposed by the House for the submission of these audits and associated cost estimates.

ENERGY SUPPLY INFRASTRUCTURE

The conference agreement does not include this new program as proposed by the Senate.

FUNDING ADJUSTMENTS

The conference agreement includes a general reduction of \$10,000,000, and an offset of \$3,003,000 for the safeguards and security charge for reimbursable work, as proposed in the budget request.

NON-DEFENSE SITE ACCELERATION COMPLETION

The conference agreement provides \$163,375,000 for Non-Defense Site Acceleration Completion instead of \$170,875,000 as proposed by the House and \$171,875,000 as proposed by the Senate. None of these funds are available for economic development activities.

2006 Accelerated Completions.—The conference agreement provides \$48,677,000, the same as the budget request, including the requested amounts of \$37,520,000 for soil and water remediation and graphite research reactor decommissioning at Brookhaven National Laboratory, \$3,272,000 for soil and water remediation at Lawrence Berkeley National Laboratory, and \$2,416,000 for soil and water remediation at the Stanford Linear Accelerator Center.

2012 Accelerated Completions.—The conference agreement provides \$119,750,000, the same as the budget request, including the requested amounts of \$99,558,000 for the West Valley Demonstration Project, \$1,320,000 for the High Flux Beam Reactor at Brookhaven National Laboratory, and \$18,467,000 for decontamination and decommissioning of the Energy Technology Engineering Center.

2035 Accelerated Completions.—The conference agreement provides \$4,948,000, including an additional \$2,500,000 to provide a total of \$4,500,000 to accelerate remediation of the Atlas uranium mill tailings site in Moab, Utah.

Funding adjustment.—The conference agreement includes an adjustment of \$10,000,000 for the use of prior year balances.

NON-DEFENSE ENVIRONMENTAL SERVICES

The conference agreement provides \$339,468,000 for non-defense environmental services, an increase of \$47,347,000 over the budget request. None of these funds are available for economic development activities. Additional funds are provided for the depleted uranium hexafluoride conversion project at Paducah and for cleanup activities at Portsmouth, and for the non-defense costs of the new Office of Legacy Management.

Community and regulatory support.—The conference agreement provides \$1,034,000, the same as the budget request.

Environmental cleanup projects.—The conference agreement provides \$43,842,000, the same as the budget request.

Office of Legacy Management (non-defense).—The conference agreement includes \$28,347,000 for the non-defense share of the costs of the new Office of Legacy Management, which is funded primarily under the Other Defense Activities account.

Non-closure environmental activities.—The conference agreement provides \$276,245,000, an increase of \$29,000,000 over the request. The conference agreement includes an additional \$12,000,000 for construction of the depleted uranium hexafluoride conversion project at Paducah, Kentucky. The conference agreement also provides an additional \$17,000,000 to continue the Department's activities at Portsmouth, including enhanced cold standby, deposit removal, cleanup of technetium-99 contamination, and accelerated cleanup of the Gaseous Centrifuge Enrichment Plant (GCEP). The Department is encouraged to work with the contractors and the unions to redeploy the

existing cold standby workforce to this variety of tasks in fiscal year 2004. The conferees encourage the Department to continue the existing barter arrangement for part of fiscal year 2004 to resolve the problem of uranium contaminated with technetium-99, and direct the Department to budget funds for this activity in fiscal year 2005. The conference agreement also includes a reduction of \$323,000 for Oak Ridge cleanup activities as requested by the Department.

Funding adjustment.—The conference agreement includes the use of \$10,000,000 of prior year balances to offset fiscal year 2004 spending.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

The conference agreement provides \$416,484,000 for activities funded from the Uranium Enrichment Decontamination and Decommissioning Fund, instead of \$392,002,000 as proposed by the House and \$396,124,000 as proposed by the Senate. None of these funds are available for economic development activities.

This agreement includes \$365,484,000 for decontamination and decommissioning activities. This amount includes an increase of \$2,000,000 over the request to continue support of the Kentucky Consortium for Energy and Environment. Given that the Department and the State of Kentucky have reached agreement on accelerated cleanup for the Paducah site, the conference agreement restores the \$26,122,000 reduction proposed by the House. The conference agreement also includes a reduction of \$3,640,000 for Oak Ridge cleanup activities as requested by the Department.

The conferees provide \$51,000,000 for uranium and thorium reimbursements, the same as the requested amount.

SCIENCE

The conference agreement provides \$3,451,700,000 instead of \$3,480,180,000 as proposed by the House and \$3,360,435,000 as proposed by the Senate. The conference agreement does not include language specifying funding allocations as contained in the House and Senate reports. The conferees encourage the Department to request sufficient funds for the Office of Science in fiscal year 2005 to increase operating time, enhance user support, and upgrade essential equipment at the Department's Science user facilities.

The conferees reiterate their support for broader participation by universities in DOE's research programs, including existing user facilities and potential new user facilities. The conferees are aware of the Office of Science's strategy for future facilities. Where existing facilities provide capabilities critical to a new user facility, co-location is appropriate; where this is not the case, the location of new user facilities should be openly competed. Regardless of location, broad participation in design by staff from national laboratories, user faculty from universities, and industrial investigators and groups should be sought. All these user groups must have access to these capabilities on a competitive basis.

High energy physics.—The conference agreement provides \$725,478,000 for high energy physics research, the same as the budget request. The conference agreement also includes the requested amount, \$12,500,000, for construction of the Neutrinos at the Main Injector project at Fermilab. The conferees recognize the efforts by Fermilab, the Office of Science, and the other Science laboratories on the challenges posed by the Tevatron luminosity upgrade. The conferees encourage the Department to accelerate progress on the Supernova/Accelerator Probe (SNAP).

Nuclear physics.—The conference agreement provides \$391,930,000 for nuclear phys-

ics, \$2,500,000 over the budget request. The additional funds are provided for research and development and preconceptual design activities in support of the Rare Isotope Accelerator. The conferees encourage the Department to increase operational time for the Continuous Electron Beam Accelerator Facility at the Thomas Jefferson National Accelerator Facility and to move forward expeditiously with the 12GeV upgrade for this facility.

Biological and environmental research.—The conference agreement includes \$592,000,000 for biological and environmental research, an increase of \$92,465,000 over the budget request. The conference agreement provides an additional \$5,000,000 for the Genomes to Life program, an additional \$2,000,000 for the Environmental Molecular Sciences Laboratory, and \$5,000,000 to develop new molecular imaging probes. The conference agreement provides the requested amounts of \$7,776,000 for the Savannah River Ecology Laboratory and \$17,496,000 for low dose radiation research.

The conference agreement provides \$250,000 for surgical robotics research at the Keck Cancer Center with the Cleveland Clinic; \$250,000 for the Genomics Laboratory at SUNY-Oneonta; \$750,000 for the San Antonio Cancer Therapy and Research Center; \$250,000 for the University of South Alabama Cancer Center; \$250,000 for the University of South Carolina study of groundwater contamination; \$750,000 for the Jacksonville University Environmental Science Center; \$750,000 for the St. Joseph Hospital technology upgrade in California; \$250,000 for green power technology development at Grand Valley State University; \$750,000 to upgrade the Drew University Hall of Science in New Jersey; \$750,000 to upgrade the Pahrump Medical Center; \$750,000 to upgrade the Grover C. Dils Medical Center; \$7,500,000 for the Judson College library, academic and service center; \$500,000 for the T3 MRI for St. Jude's Children Research Hospital in Tennessee; \$250,000 for Ohio State University for environmental research in cooperation with Earth University; \$5,000,000 for the Community Improvement Corporation of Springfield-Clark County for a computing and data management center; \$750,000 for the Mercer University Critical Personnel Development Program; \$750,000 for the Michigan Research Institute life sciences research; \$750,000 for the University of Arizona Institute for Biomedical Science and Biotechnology; \$250,000 for the St. Francis Medical Center Rapid Treatment Unit in Illinois; \$300,000 for the Boulder City Hospital Emergency Room Expansion; \$750,000 for the National Childhood Cancer Foundation; \$750,000 for functional genomics research by the University of Kentucky and the University of Alabama; \$750,000 for the Rensselaer Polytech Center for Quantitative Bioscience; \$750,000 for the Western Carolinas Biotechnology Initiative; \$750,000 for the Vanguard University Science Center; \$750,000 for the Syracuse University Environmental Systems Center; \$750,000 for the University of Tennessee Climate Change Research Initiative; and \$300,000 for the Eckerd College Science Center.

The conference agreement includes \$500,000 for the Biomedical Engineering Laboratory at the Center for Biomedical Engineering in Louisiana; \$150,000 for the Derby Center for Science and Mathematics at Lyon College; \$500,000 for the Experimental Medicine Program at the Dana Farber Cancer Institute; \$500,000 for the Clafin University Science Center; \$500,000 for the Life Sciences Facility, Tennessee State University; \$1,000,000 for the Rush-Presbyterian-St. Luke's Medical Center; \$1,000,000 for the Carnegie Mellon University Green Chemistry Project; \$500,000 for the College of Mount St. Vincent Science Hall; \$500,000 for the Urban Education Re-

search Center in Pennsylvania; \$500,000 for genomics research at Indiana University; \$1,000,000 for the Illinois Museum of Science and Industry; \$1,000,000 for the Georgia State University Science Research & Teaching Lab; \$1,000,000 for the Northwestern University Institute of Bioengineering and Nanoscience in Medicine; \$500,000 for the Nuclear Resonance Mass Spectrometer at the University of Massachusetts Medical School; \$500,000 for St. Joseph Hospital in Arizona; \$500,000 for Comparative Functional Genomics at New York University; \$1,000,000 for Augsburg College; \$1,000,000 for the Bronx Community Center for Sustainable Energy; \$1,000,000 for the Carolinas Medical Center; \$1,000,000 for the Michigan Technology Center for Nanostructure and Light Weight Materials; \$500,000 for the Tri-State University Technology Center; \$2,000,000 for the Notre Dame Multi-Discipline Engineering Center; and \$1,000,000 for the University of Southern California Center for Excellence in Neurogenetics.

The conference agreement includes \$10,000,000 for the Mental Illness and Neuroscience Discovery Institute; \$2,000,000 for the University of New Mexico medical building; \$2,500,000 for the University of Northern Iowa building design and engineering; \$500,000 for the University of Dubuque Environmental Science Center; \$750,000 for the University of Missouri Cancer Center; \$1,000,000 for the Earth University Foundation in Georgia; \$750,000 for material research for energy security in Idaho; \$750,000 for advanced bio-reactor technology development in Montana; \$1,000,000 for the CHP project at Mississippi State University; \$1,000,000 for the University of Alabama-Huntsville Climate Action Project; \$500,000 for the Hackensack medical building in New Jersey; \$750,000 for the Midletown Regional Hospital in Ohio; \$1,000,000 for Clean Energy Research at the University of Delaware; and \$500,000 for the Center for Advanced Research in Texas.

The conference agreement includes \$750,000 for the Swedish American Regional Cancer Center; \$250,000 for the Cancer Center at Edward Hospital; \$500,000 for the Morgan State University Center for Environmental Toxicology; \$1,000,000 for Digitalization of the Cardiac Cath Lab at the University Medical Center of Southern Nevada; \$1,000,000 for Mega Voltage Cargo Imaging Development Applications for the Nevada Test Site; \$1,000,000 for the Nevada Cancer Institute; \$1,500,000 for a Structural Biology Research Center at the Hauptman-Woodward Medical Research Institute; \$2,000,000 for the University of Buffalo Center of Excellence in Bioinformatics; \$1,000,000 for the Huntsman Cancer Institute; \$250,000 for the St. Francis Hospital Emergency Services Department; \$300,000 for the Christiana Comprehensive Cancer Initiative; \$500,000 for the University of Massachusetts at Boston Multidisciplinary Research Facility and Library; \$400,000 for the Robert Wood Johnson University Hospital; \$100,000 for the Hackensack University Medical Center; \$1,000,000 for the Coastal Research Center at the Medical University of South Carolina; \$500,000 for the Mary Bird Perkins Cancer Center; \$750,000 for the Tahoe Center for Environmental Sciences; \$500,000 for Adventist Health Care; \$1,000,000 for the Environmental Control and Life Support Project; \$1,000,000 for the Southern California Water Education Center; \$1,000,000 for the University of Nevada-Reno to conduct nuclear waste repository research in the areas of materials evaluation, fundamental studies on degradation mechanisms, alternate materials and design, and computational and analytical modeling; \$1,000,000 for the Research Foundation at the University of Nevada-Las Vegas to conduct safety and risk analyses, simulation and

modeling, systems planning, and operations and management to support radioactive and hazardous materials transportation; \$1,000,000 for the Research Foundation at the University of Nevada-Las Vegas to assess earthquake hazards and seismic risk in Southern Nevada; \$1,000,000 for the University of Nevada-Reno to expand the earthquake engineering and simulation facility; and \$100,000 for the Space Grant Consortium at the Desert Research Institute.

Basic energy sciences.—The conference agreement includes \$1,016,575,000 for basic energy sciences, an increase of \$8,000,000 over the budget request. The conference agreement includes \$575,711,000 for materials sciences and engineering research, and \$220,914,000 for chemical sciences, geosciences, and energy biosciences. The additional \$8,000,000 for materials sciences and engineering research is to support additional nanoscience research at existing user facilities and the new nanoscale science research centers. For purposes of reprogramming in fiscal year 2004, the Department may reallocate funding among all operating accounts within Basic Energy Sciences.

The conference agreement provides the requested amounts of \$124,600,000 for construction of the Spallation Neutron Source (99-E-334); \$35,000,000 for the Molecular Foundry (94-R-313); \$29,850,000 for the Center for Integrated Nanotechnologies (04-R-313); \$20,000,000 for the Center for Nanophase Materials Sciences (03-R-312); \$7,500,000 for project engineering and design (PED) for the Linac Coherent Light Source (03-SC-002); and \$3,000,000 for the Center for Functional Nanomaterials (02-SC-002). The conference agreement also provides the request of \$7,673,000 for the Experimental Program to Stimulate Competitive Research (EPSCoR).

Advanced scientific computing research.—The conference agreement includes \$203,490,000 for advanced scientific computing research (ASCR), an increase of \$30,000,000 over the budget request. The conferees provide these additional funds for the Department to acquire additional advanced computing capability to support existing users in the near term and to initiate longer-term research and development on next generation computer architectures. The conferees expect that, to the maximum extent practicable, these funds will be awarded among various technologies, laboratories, universities, and private sector suppliers using a merit-based, competitive process. The conferees support the High End Computing Revitalization Task Force established by the Office of Science and Technology Policy, and expect the Department to participate fully in this interagency effort.

Science laboratories infrastructure.—The conference agreement provides \$54,590,000 for science laboratories infrastructure, including an additional \$10,000,000 to correct safety deficiencies at Science Laboratories for the purpose described in the House report, and \$1,000,000 additional for excess facilities disposal for the 88-inch cyclotron at Lawrence Berkeley National Laboratory. From within available funds, the conferees expect the Department to provide not less than \$15,600,000 to meet infrastructure needs at Oak Ridge National Laboratory.

The conferees support the ongoing effort to determine realistic costs for the transition to external regulation, and adopt the House-recommended date of May 31, 2004, for completion of the safety compliance audits and associated costs estimates for the ten Science laboratories. The conferees also support the House direction to the Department to begin budgeting for the necessary corrective actions beginning in fiscal year 2005.

The conference agreement provides the requested amounts of \$1,520,000 for infrastruc-

ture support, \$5,079,000 for Oak Ridge land-lord costs, \$29,936,000 for construction of various infrastructure projects (MEL-001), and \$2,000,000 for project MEL-001-36 at the Stanford Linear Accelerator Center under Science Laboratories Infrastructure Project Engineering Design (04-SC-001).

Fusion energy sciences.—The conference agreement includes \$264,110,000 for fusion energy sciences, an increase of \$6,800,000 over the budget request. The budget request proposed \$12,000,000 for the International Thermonuclear Experimental Reactor (ITER), but did so by displacing \$10,800,000 of ongoing domestic fusion research. The conference agreement provides \$8,000,000 for ITER activities in fiscal year 2004, and restores \$6,800,000 to domestic fusion research. The conferees strongly caution the Department against submitting any future budget requests for ITER that are funded at the expense of domestic research.

Safeguards and security.—The conference agreement includes \$51,887,000 for safeguards and security activities at laboratories and facilities managed by the Office of Science. The additional \$3,760,000 over the budget request represents the costs for safeguards and security support contracts that were transferred out of Science Program Direction into this subaccount.

Science workforce development.—The conference agreement provides the requested amount of \$6,470,000 for science workforce development. The conferees advise the Department to apply the Laboratory Science Teacher Professional Development initiative to all five multiprogram Science laboratories rather than just to one laboratory. The conferees also encourage the Department to provide funds and technical expertise for high school students to participate in the 2004 For Inspiration and Recognition of Science and Technology (FIRST) Robotics competition. FIRST has proven to be a valuable program to introduce and mentor students in math and science.

Science program direction.—The conference agreement includes \$147,053,000 for science program direction. This amount includes \$80,102,000 for field offices, \$58,217,000 for headquarters, \$7,714,000 for the Technical Information Management program, and \$1,020,000 for Energy Research Analyses. The control level for fiscal year 2004 is at the program account level of Science Program Direction.

Funding adjustments.—The conference agreement includes an offset of \$4,383,000 for the safeguards and security charge for reimbursable work, as proposed in the budget request. The conference agreement also includes the use of \$10,000,000 of prior year balances.

NUCLEAR WASTE DISPOSAL

The conference agreement provides \$190,000,000 for Nuclear Waste Disposal, instead of \$335,000,000 as proposed by the House and \$140,000,000 as proposed by the Senate. When combined with the \$390,000,000 appropriated from the Defense Nuclear Waste Disposal account, a total of \$580,000,000 will be available for program activities in fiscal year 2004.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides \$313,212,000 for Departmental Administration expenses. Including a transfer of \$86,679,000 from Other Defense Activities, revenues of \$123,000,000, the same as estimated by the Congressional Budget Office, and the use of \$10,000,000 of prior year balances, this results in a net appropriation of \$93,533,000.

Specific funding levels for each Departmental organization are provided in the accompanying table.

Chief Information Officer.—The conferees provide \$35,000,000 and direct the additional

funds over the fiscal year 2003 funding level be used for implementation of STARS and the data warehouse for the Department's financial data.

Office of Management, Budget and Evaluation.—The conference agreement directs the Office of Environmental Management to transfer \$2,500,000 from Defense Site Acceleration Completion to continue external independent reviews by the Office of Engineering and Construction Management of proposed Environmental Management projects and programs and to provide increased oversight of the Environmental Management accelerated cleanup contracts. To continue to train and certify DOE project managers, the conferees direct the Department to arrange financing of not less than \$2,500,000 from the Working Capital Fund to fund training under the Project Management Career Development Program.

Working Capital Fund.—The conferees renew the guidance as presented in House Report 107-681 regarding management of the Working Capital Fund.

Work for Others.—The conference agreement for the cost of the Work for Others program is \$69,682,000, the same as in fiscal year 2003. The conferees adopt the Congressional Budget Office estimate of \$123,000,000 for revenues from Work for Others activities.

Funding Adjustments.—The conference agreement includes the use of \$10,000,000 of prior year balances.

Transfer from Other Defense Activities.—The conferees believe that defense-related programs should fund a proportional share of total Departmental Administration costs. By the conferees' calculation, the Department's defense-related activities account for 70.3 percent of the Department's total budget request for fiscal year 2004. Subtracting out the costs for the National Nuclear Security Administration (NNSA), which has largely established its own corporate functions analogous to Departmental Administration functions, the remaining defense-related costs account for 32.7 percent of the Department's total budget. For the gross Departmental Administration request of \$351,306,000 in fiscal year 2004, the minimum defense contribution should have been \$114,877,000. Using some other system of mathematics, the Department requested only \$25,000,000 as the defense share of Departmental Administration. The conferees consider this an inadequate share of Departmental Administration costs, and provide instead \$86,679,000, the same contribution from Other Defense Activities as provided in fiscal year 2003. The conferees direct the Department to submit a budget request for fiscal year 2005 that reflects a proportional contribution from Other Defense Activities for these Departmental Administration costs.

Reprogramming guidelines.—The conference agreement provides reprogramming authority of \$1,000,000 or 10 percent, whichever is less, within the Departmental Administration account without prior submission of a reprogramming to be approved by the House and Senate Committees on Appropriations. No individual program account may be increased or decreased by more than this amount during the fiscal year using this reprogramming authority. Congressional notification within 30 days of the use of this reprogramming authority is required. Transfers which would result in increases or decreases in excess of \$1,000,000 or 10 percent to an individual program account require prior notification and approval.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides \$39,462,000 for the Inspector General as proposed by the House and the Senate.

ATOMIC ENERGY DEFENSE ACTIVITIES
NATIONAL NUCLEAR SECURITY
ADMINISTRATION

The National Nuclear Security Administration (NNSA), a semi-autonomous agency within the Department of Energy, manages the Nation's nuclear weapons, nuclear non-proliferation, and naval reactors activities.

Availability of funds.—The conference agreement makes funds appropriated to the NNSA available until expended as proposed by the Senate.

Stockpile Plan.—The conferees direct the Secretary of Energy in conjunction with the Secretary of Defense to provide a report to the Appropriations and Armed Services Committees of Congress providing a revised Nuclear Weapons Stockpile plan that supports the President's revised Nuclear Weapons Stockpile Memorandum. The revised Nuclear Weapons Stockpile plan should detail the Department of Defense and Department of Energy's program plan and detailed schedule to achieve the President's proposed inventory adjustments to the Total Strategic Stockpile, reducing the Operationally Deployed weapons to 1,700–2,200 by 2012, as well as the inventory adjustments to the other categories of the nuclear stockpile (i.e., Strategic Active and Inactive Stockpile) by weapon systems and warhead type. The conference agreement restricts a portion of the funds provided for Advanced Concepts research on nuclear weapons pending congressional review of the Nuclear Stockpile report. This report is due to the Appropriations and Armed Services Committees concurrent with the submission of the fiscal year 2005 budget request.

WEAPONS ACTIVITIES

The conference agreement provides \$6,272,511,000 for Weapons Activities instead of \$6,117,609,000 as proposed by the House and \$6,473,814,000 as proposed by the Senate.

Reprogramming.—The conference agreement provides limited reprogramming authority within the Weapons Activities account without submission of a reprogramming to be approved in advance by the House and Senate Committees on Appropriations. The reprogramming thresholds will be as follows: directed stockpile work, science campaigns, engineering campaigns, inertial confinement fusion, advanced simulation and computing, pit manufacturing and certification, readiness campaigns, and operating expenses for readiness in technical base and facilities. This should provide the needed flexibility to manage these programs.

In addition, funding of not more than \$5,000,000 may be transferred between each of these categories and each construction project subject to the following limitations: only one transfer may be made to or from any program or project; the transfer must be necessary to address a risk to health, safety or the environment or to assure the most efficient use of weapons activities funds at a site; and funds may not be used for an item for which Congress has specifically denied funds or for a new program or project that has not been authorized by Congress.

Congressional notification within 15 days of the use of this reprogramming authority is required. Transfers during the fiscal year which would result in increases or decreases in excess of \$5,000,000 or which would be subject to the limitations outlined in the previous paragraph require prior notification and approval from the House and Senate Committees on Appropriations. Failure to notify the Committees within the 15-day period will result in denial of the reprogramming.

W80 life extension project.—The conferees have had a special interest in the W80 warhead stockpile life extension project (W80

LEP) and have consistently asked for unambiguous answers from the NNSA and the Air Force justifying the significant budget increases and the aggressive schedule for the W80 LEP. In fiscal year 2000, the Nuclear Weapons Council agreed to a W80 LEP schedule assuming a W80 LEP First Production Unit (FPU) in fiscal year 2006. Based on information provided by the Department of Energy submitted subsequent to the fiscal year 2004 budget request, the conferees understand that both the NNSA and the Department of Defense have agreed to a revised W80 LEP baseline delaying the FPU requirement until 4th quarter fiscal year 2007. Because the fiscal year 2006 FPU baseline milestone resulted in a very aggressive W80 LEP program, the conferees reduced the significant budget request for the W80 LEP in fiscal year 2004.

Directed stockpile work.—The conference agreement includes \$1,340,286,000 for directed stockpile work instead of \$1,343,786,000 as proposed by the House and \$1,367,786,000 as proposed by the Senate.

The conference agreement provides \$412,650,000 for stockpile research and development, a reduction of \$20,500,000 from the budget request. The budget adjustments in stockpile R&D include a reduction of \$13,000,000 from the budget request consistent with the W80 rebaselining reductions and a \$7,500,000 reduction in the robust nuclear earth penetrator study budget request.

Advanced Concepts.—The conferees provide \$6,000,000 for Advanced Concepts, as proposed by the Senate, of which \$4,000,000 is available for obligation only after the official delivery of a revised Nuclear Weapons Stockpile plan to Congress and a 90-day review period by the House and Senate Committees on Appropriations and the Committees on Armed Services. The revised Nuclear Weapons Stockpile plan should detail the Department of Defense and Department of Energy's program plan and detailed schedule to achieve the President's proposed inventory adjustments to the Total Strategic Stockpile, including the Strategic Active Stockpile and Inactive Stockpile, by weapon systems and warhead type.

Robust Nuclear Earth Penetrator.—The conferees provide \$7,500,000 for the Robust Nuclear Earth Penetrator study, instead of \$5,000,000 as proposed by the House and \$15,000,000 as proposed by the Senate. The conferees remind the Administration that none of the funds provided may be made used for activities at the engineering development phases, phase 3 or 6.3, or beyond, in support of advanced nuclear weapons concepts, including the Robust Nuclear Earth Penetrator.

The conference agreement provides \$409,746,000 for stockpile maintenance, an increase of \$4,000,000 from the budget request. Within the funds available for stockpile maintenance the conference agreement provides a \$10,000,000 increase for activities at the Y-12 plant in Tennessee to complete closeout W87 LEP activities in fiscal year 2004. The conference agreement includes a \$6,000,000 reduction in W80 stockpile maintenance activities consistent with the W80 rebaselining. The conference agreement provides \$201,885,000 for stockpile evaluation, a reduction of \$1,000,000 from the budget request consistent with the W80 rebaselining reductions. In the dismantlement/disposal program the conferees have provided \$37,722,000, the same as the budget request. In the production support program, the conferees have provided \$271,113,000, a reduction of \$7,000,000 from the budget request. In field engineering, training and manuals program, the conferees have provided \$7,170,000, the same as the budget request.

Campaigns.—Funding for individual campaigns is shown on the accompanying table.

The conferees agree with the House language requesting detailed project baseline data for each campaign showing the total, annual, and five-year costs, schedule, scope, and deliverables for individual project activities as part of the annual budget request.

From within funds provided for the various campaigns, \$4,300,000 is provided for the University Research Program in Robotics.

For science campaigns, the conference agreement provides \$250,548,000, a reduction of \$19,000,000 from the budget request. The conference agreement provides \$57,849,000 for primary certification, a reduction of \$8,000,000 from the budget request. In the dynamic materials properties program, the conferees have provided \$82,251,000 the same as the budget request. Using \$5,000,000 within the funds provided for dynamic materials properties, the NNSA is directed to make full use of existing and developing capabilities for materials properties studies, including the subcritical experiments at the Ula facility, Joint Actinide Shock Physics Experimental Research facility and the Atlas facility at the Nevada Test Site. In the advanced radiography program, the conferees have provided \$55,985,000, a reduction of \$10,000,000 from the budget request. In the secondary certification and nuclear systems margins program, the conferees have provided \$54,463,000, a reduction of \$1,000,000 from the budget request.

For engineering campaigns, the conference agreement provides \$344,387,000, an increase of \$13,200,000 over the budget request. Enhanced surety is funded at \$32,974,000, a reduction of \$5,000,000 from the request, consistent with the W80 rebaselining reductions. In the weapons system engineering certification program, the conferees have provided \$27,238,000, a reduction of \$1,000,000 from the budget request. In the nuclear survivability program, the conferees have provided \$22,977,000, a reduction of \$1,000,000 from the budget request. In the enhanced surveillance program, the conferees have provided \$91,781,000, a reduction of \$3,000,000 from the budget request. In the advanced design and production technologies program, the conferees have provided \$77,917,000, a reduction of \$2,000,000 from the budget request.

Engineering campaign construction projects.—The conference agreement provides \$87,000,000, an increase of \$25,200,000 over the budget request, for Project 01-D-108, Microsystem and engineering science applications (MESA) at Sandia, in New Mexico.

Inertial Confinement Fusion (ICF) Ignition and High Yield.—The conferees include \$517,269,000 for the inertial confinement fusion ignition and high yield program, an increase of \$50,500,000 over the budget request.

National Ignition Facility.—Within the funds provided, \$150,000,000 is for National Ignition Facility (NIF) construction, Project 96-D-111, and \$367,269,000 is for the ICF ignition and high yield program. Within the funds provided for the NIF program, the conferees direct the Department to fund a public-private research and development activity focused on damage resistant gratings at not less than \$1,000,000.

The conferees note that NIF construction funds and NIF program funds have been provided consistent with the Administration's request, but are concerned that these budget figures are not consistent with the revised NIF baseline due to the Department's decision to fund a variety of NIF-related projects and programs within the overall NIF program. While the conferees are supportive of these activities and believe them necessary to achieve the goal of ignition, they strongly recommend that the Department submit future budgets that fund these activities as one or more separate line items.

Inertial Fusion Technology.—The conferees also include \$25,000,000 to continue development of high average power lasers and supporting science and technology, the budget request of \$10,467,000 for the Naval Research Laboratory, and \$63,132,000 for the University of Rochester, an increase of \$20,000,000 over the budget request. The additional funding is provided to the University of Rochester's Laboratory for Laser Energetics for the OMEGA Extended Performance (EP) Facility in support of the Nation's stockpile stewardship program. The conferees expect additional funding requirements to complete Omega EP construction will be included by the Department in future budget requests. Additionally, the conferees provide funding of \$4,000,000 to initiate assessments and initial development and testing of Z-Pinch inertial fusion energy.

Petawatt Lasers.—The conferees also include an additional \$4,500,000 for university grants and other support. Within this amount, \$2,500,000 is provided for the continued development of an ultra short-pulse petawatt laser at the University of Texas; and \$2,000,000 is provided to continue short-pulse laser development and research at the University of Nevada-Reno.

The conferees agree with the Senate position that high intensity laser physics enables major new areas of science and engineering endeavor in the United States and that advances in this field will enable important progress in critical aspects of basic science, fusion energy, and national security. A robust, coordinated program in high intensity lasers will affordably maintain U.S. leadership in this critically important area. Accordingly, the conferees direct the Department to pursue a joint high intensity laser program with the National Science Foundation. The conferees further direct the NNSA and the Department's Office of Science to develop, in collaboration with the NSF, a report that identifies the benefits and disadvantages of multi-agency coordinated research in high intensity laser science and delineates how a joint program in this area will be structured. This report shall be delivered to the House and Senate Committees on Appropriations no later than April 15, 2004.

For advanced simulation and computing, the conference agreement provides \$725,626,000, as proposed by the Senate. From within available funds for advanced simulation and computing, \$6,000,000 is provided for the development of a data-intensive computing center to be operated by the Ohio Supercomputing Center at its Springfield, Ohio site; \$3,000,000 is provided to demonstrate three-dimensional chip scale packaging integrated with spray cooling. The conferees direct the University Partnerships program be funded at the budget request.

For the pit manufacturing and certification campaign, the conference agreement provides \$298,528,000 a reduction of \$21,700,000 from the budget request. The conference agreement provides \$126,773,000 for W88 pit manufacturing and \$108,592,000 for W88 pit certification, the same as the budget request. Providing the requested level of funding will ensure that the NNSA maintains its commitment to produce a certified W88 pit by 2007. The conference agreement provides \$10,000,000 for Pit Manufacturing Capability instead of \$4,700,000 as proposed by the House and \$19,700,000 as proposed by the Senate. The conference agreement provides \$10,810,000 for the Modern Pit Facility, a reduction of \$12,000,000 from the request. The conferees agree with the House Report that until the Congress reviews the revised future Stockpile plan it is premature to pursue further decisions regarding the Modern Pit Facility.

For readiness campaigns, the conference agreement provides \$247,097,000, a reduction

of \$10,000,000 from the budget request. Funding for the Stockpile readiness campaign includes \$55,158,000, the same as the budget request. High explosives manufacturing and weapons assembly/disassembly readiness is funded at \$23,649,000, instead of \$19,649,000 as proposed by the House and \$27,649,000 as proposed by the Senate. The \$6,000,000 reduction to the budget request for this program slows the significant program growth from the previous year. The conference agreement provides \$33,397,000 for Non-nuclear readiness, a reduction of \$4,000,000 as proposed by the House, consistent with the W80 rebaselining reductions. Funding for the tritium readiness campaign includes \$134,893,000, the same as the budget request.

Readiness in technical base and facilities.—For readiness in technical base and facilities, the conference agreement provides \$1,027,773,000 for operations of facilities, an increase of \$55,000,000 over the budget request, and includes several funding adjustments.

Within funds provided for operations of facilities, the conferees direct that, at a minimum, an additional \$5,000,000 be provided for the Pantex Plant in Texas and an additional \$5,000,000 be provided for the Y-12 Plant in Oak Ridge, Tennessee; an additional \$5,000,000 for the Kansas City Plant to address pension liability issues; and an additional \$10,000,000 for Los Alamos National Laboratory. The conference agreement provides an additional \$5,000,000 to support operation of facilities at the Nevada Test Site, (NTS) including the Device Assembly Facility, the Joint Actinide Shock Physics Experimental Research facility, operations associated with the Atlas relocation project, Ula operations, general plant projects and other NTS support facilities. An additional \$25,000,000 is provided for continued facility upgrades, refurbishments, operations and maintenance costs associated with and for the National Center for Combating Terrorism (NCCT). Within the funds available for the NCCT, not less than \$5,000,000 is provided jointly to the Institute for Security Studies at UNLV and the Consortium of Terrorism Studies and Fire Science at the University of Nevada, Reno. The conference agreement includes an additional \$5,000,000 for modifications of the Z-beamlet laser to the Z machine operations at Sandia. Within available funds, the conference agreement includes \$3,000,000 for technology transfer activities as proposed by the Senate. The conference agreement provides \$500,000 within available funds for the NNSA to utilize the capabilities of its national laboratories for a joint effort with the U.S. Consumer Product Safety Commission on sensor technologies and applications as proposed by the Senate.

For program readiness, the conference agreement provides \$131,093,000 the same as the budget request.

Test Readiness.—Within funds provided for program readiness activities the conference agreement provides \$24,891,000 for test readiness in Nevada, the same as the budget request. The conferees recognize that test readiness activities in Nevada were allowed to atrophy during the last decade under the current nuclear test moratorium as documented by the DOE Inspector General and the NNSA's internal assessments. However, the conferees expect the NNSA to focus on restoring a rigorous test readiness program that is capable of meeting the current 24-month requirement before requesting significant additional funds to pursue a more aggressive goal of an 18-month readiness posture. The conferees expect the House and Senate Appropriations Committees be kept informed on the progress of restoring the current test readiness program. The conferees remind the Administration that Con-

gressional authorization must be obtained before proceeding with specific activities that support the resumption of testing.

For special projects, the conference agreement provides \$51,675,000, an increase of \$8,700,000 over the budget request. Within funds provided for special projects, the conference agreement includes \$6,900,000 for the New Mexico Education Enrichment Foundation; \$1,000,000 for the preservation of Manhattan Project historical sites; \$500,000 for the Atomic Testing History Institute; \$1,000,000 for the UNLV Research Foundation; \$2,000,000 for stockpile stewardship research at the Nevada terawatt facility at the University of Nevada-Reno; \$3,000,000 is provided for Total Asset Management Suite (TAMS) technology to be applied to a defense lab or site; \$3,000,000 is provided for a defense and security research center; and the budget request for the Los Alamos County Schools.

The conference agreement includes \$76,189,000 for materials recycle and recovery, the same as the budget request.

The conference agreement includes the budget request of \$16,006,000 for containers, \$11,365,000 for storage, and \$89,694,000 for nuclear weapons incident response.

Construction projects.—For construction projects in RTBF, the conference agreement includes \$260,440,000, a \$12,936,000 reduction from the budget request. The conferees included the following adjustments to reflect the latest program planning assumption. The conference agreement provides \$10,000,000 for Project 04-D-125, Chemistry and Metallurgy Facility Replacement (CMR-R) at Los Alamos in New Mexico, a reduction of \$10,500,000 from the budget request; \$11,300,000 for Project 03-D-121, Gas Transfer Capacity Expansion, at Kansas City Plant, Kansas City, a reduction of \$4,000,000 from the budget request; \$3,564,000 for Project 04-D-103, Project Engineering and Design (PED), various locations, an increase of \$1,564,000 from the budget request.

Facilities and infrastructure recapitalization.—The conference agreement includes \$240,123,000 for the facilities and infrastructure (F&I) recapitalization program, a reduction of \$25,000,000 from the budget request due to funding constraints. The conferees agree with the House direction to procure decontamination, decommissioning and demolition services through an open competitive process to the greatest extent practicable. At least \$45,000,000 is to be used to dispose of excess facilities.

Secure Transportation Asset.—The conference agreement provides \$162,400,000 for secure transportation asset, as proposed by the Senate. The fiscal year 2003 supplemental included an additional \$20,000,000 for the secure transportation asset and the conferees direct the use of the carryover balances for fiscal year 2004. The secure transportation asset program provides for the safe, secure movement of nuclear weapons, special nuclear material, and weapon components between military locations and nuclear complex facilities within the United States.

Safeguards and security.—The conference agreement includes \$585,750,000, the same as the budget request, for safeguards and security activities at laboratories and facilities managed by the National Nuclear Security Administration. The conferees are aware that there are unique security requirements at the Y-12 plant in Tennessee and that additional resources are needed to address the current deficiencies. The conferees direct the NNSA to address those security needs within available funds or propose a reprogramming action to provide the necessary resources.

Funding adjustments.—The conference agreement includes an adjustment of \$28,985,000 for a security charge for reimbursable work, as proposed in the budget, and the

use of \$74,753,000 in prior year balances. In addition, the conferees direct the Department to use \$23,000,000 of prior year funds to meet a portion of the Department's liability stemming from the termination of the contract with the Ohio Valley Electric Corporation for power to supply the Portsmouth Gaseous Diffusion Plant.

DEFENSE NUCLEAR NONPROLIFERATION

The conference agreement provides \$1,327,612,000 for Defense Nuclear Nonproliferation instead of \$1,280,195,000 as proposed by the House and \$1,340,195,000 as proposed by the Senate.

Availability of funds.—The conference agreement makes the funds available until expended as proposed by the Senate.

Liability Protection for U.S. interests in Russia.—The conferees are greatly concerned with the continued impasse between the United States and Russia on negotiations over liability protections for U.S. companies and personnel conducting nonproliferation work in Russia. The conferees place great importance on the continued successful implementation of the Department's nuclear nonproliferation activities and are concerned that in allowing the government-to-government implementing agreements to lapse for the Nuclear Cities Initiative and Plutonium Disposition activities, the Administration is creating unnecessary impediments to the effective implementation of nuclear nonproliferation programs. Additional delays in program implementation not only carry the risk of disrupting important nuclear nonproliferation activities but also exacerbate the problem of ever-increasing prior year balances carried by the Nuclear Nonproliferation program each year. The conferees urge a speedy resolution to the liability negotiations.

Nonproliferation and verification research and development.—The conference agreement provides \$233,373,000 for nonproliferation and verification research and development, an increase of \$29,500,000 from the request. The conference agreement includes \$20,000,000, the same as the budget request, for ground-based systems for treaty monitoring.

The conference agreement does not adopt the House language requiring all nonproliferation and verification research and development funds be competed using the Technical Support Working Group (TSWG) Broad Area Announcement process.

From within available funds for research and development activities, \$7,000,000 is provided to support ongoing activities at the Remote Sensing Test and Evaluation Center (RSL) at the Nevada Test Site to recover eroding emergency response infrastructure, replace aging equipment, and upgrade current technology. From within the funds provided to RSL, the recommendation includes \$2,000,000 for the University of Nevada-Reno for the development of chemical, biological, and nuclear detection sensors.

The conference agreement provides \$3,000,000 for the Incorporated Research Institutions for Seismology PASSCAL Instrument Center. The conferees intend fiscal year 2004 to be the last year of funding for the PASSCAL Instrument Center provided for within this account. Within available funds, the NNSA is directed to provide \$15,000,000 in support of the nuclear and radiological national security program. The conference agreement provides \$2,500,000 for the University of South Florida Center for Biological Defense; \$1,000,000 for the George Mason University Center for Biodefense; and \$1,000,000 for SUNY-Binghamton Advanced Sensor Design and Threat Detection.

The conferees continue to support more opportunity for open competition in appropriate areas of the nonproliferation and

verification research and development program. The conferees expect the Department to continue to implement recommendations provided by the external review group in support of open competition and direct the Department to continue a free and open competitive process for at least 25 percent of its research and development activities during fiscal year 2004 for ground-based systems treaty monitoring. The competitive process should be open to all Federal and non-Federal entities. From within funds provided for ground-based systems treaty monitoring, the conferees include \$2,500,000 in support of the Caucasus Seismic Information Network. These funds are provided outside the 25 percent of ground-based systems treaty monitoring funds to be awarded by the Department through a free and open competitive process.

Nonproliferation and international security.—The conference agreement provides \$110,734,000 for nonproliferation and international security, an increase of \$9,000,000 over the budget request. Within the additional funds, the conferees provide the budget request of \$3,000,000 for accelerated Reduced Enrichment for Research and Test Reactors (RERTR) and \$1,000,000 for the HEU Research Reactor Fuel Purchase initiative as proposed under the Accelerated Materials Disposition proposal. The conferees provide \$5,000,000 for initiatives focused on removing nuclear weapons-usable materials from vulnerable sites around the world as proposed by Senate.

Nonproliferation programs with Russia.—The conferees continue to be concerned that too much of the money for Russian programs is being spent in the United States at the Department of Energy's own facilities rather than going to the facilities in Russia. The Department is directed to submit a plan to the Committees on Appropriations that shows how the ratio of the funding within each program that is spent in Russia versus the funding that remains in the United States for the Department's contractors will be increased significantly in each subsequent fiscal year.

International materials protection, control and cooperation (MPC&A).—The conference agreement includes \$260,000,000 for the MPC&A program, an increase of \$34,000,000 over the budget request. Within funds provided for MPC&A, the conferees provide \$28,000,000 for accelerating the Second Line of Defense MegaPorts Initiative and other critical border activities and \$5,000,000 for other high priority MPC&A activities, to include countries outside the Former Soviet Union (FSU) such as Pakistan, India, and China.

Accelerated Materials Disposition.—The conferees provide no funding for the Accelerated Materials Disposition (AMD) initiative. The conferees continue to be highly supportive of the successful U.S./Russian HEU Purchase Agreement to blend down 500 metric tons of highly enriched uranium over twenty years. The conferees are supportive of the House language on the AMD proposal and direct the Department to develop a rigorous risk-based priority setting process for allocating budget resources to the activity with the highest nonproliferation benefit. The conferees provide the funding request for accelerated Reduced Enrichment for Research and Test Reactors (RERTR) and the HEU Research Reactor Fuel Purchase under Nonproliferation and International Security account and the accelerated Material Consolidation and Conversion (MCC) program in the International materials protection, control and cooperation (MPC&A) account.

Russian Transition Initiatives.—The conference agreement provides \$40,000,000, the same as the budget request, for the Initia-

tives for Proliferation Prevention (IPP) program and the Nuclear Cities Initiative (NCI). The conferees are troubled by the continuing liability provision impasse that caused the lapsing of the NCI implementing agreement. The conferees urge the Department to work aggressively with the State Department and their Russian counterparts to conclude the liability provision negotiations expeditiously prior to significant delays to nonproliferation work in Russia.

HEU transparency implementation.—The conference agreement provides \$18,000,000, the same as the budget request.

International nuclear safety.—The conference agreement provides \$4,000,000, a reduction of \$10,083,000 from the budget request, for the international nuclear safety program. The conferees note the successful conclusion of the Soviet-designed reactor safety program in fiscal year 2003 and expect the Department to close out all remaining International Nuclear Safety activities in fiscal year 2004 with the funds provided.

Elimination of weapons-grade plutonium production.—The conference agreement includes the budget request of \$50,000,000 for the elimination of weapons-grade plutonium production program.

Fissile materials disposition.—The conference agreement provides \$656,505,000 for fissile materials disposition, the same as the budget request. The conferees direct the Department to continue the thorium-based fuel cycle program currently being conducted by the Russian Research Centre Kurchatov Institute in conjunction with their U.S. industrial partners. Within available funds the conference agreement provides \$4,000,000 to be used in Russia for testing and evaluation of those test results to confirm this thorium-based fuel's plutonium disposition qualities in Russian VVER-1000 reactors and other non-proliferation and environmental benefits. The testing will include irradiation experiments at the IR-8 reactor at Kurchatov Institute. The objective of this testing and evaluation is to assess the timeframe, cost, and technical feasibility of this thorium-based fuel cycle for plutonium disposition in Russia, with a goal of lead test assemblies in 2006 in a Russian VVER-1000 nuclear power plant.

Funding adjustments.—The conference agreement includes the use of \$45,000,000 of prior year balances.

NAVAL REACTORS

The conference agreement provides \$766,400,000 for Naval Reactors.

Funding adjustments.—The conference agreement includes the use of \$2,000,000 of prior year balances. In addition, the conferees direct the Department to use \$2,000,000 of prior year balances to meet a portion of the Department's liability stemming from the termination of the contract with the Ohio Valley Electric Corporation for power to supply the Portsmouth Gaseous Diffusion Plant.

OFFICE OF THE ADMINISTRATOR

The conference agreement provides \$339,980,000 for the Office of the Administrator instead of \$341,980,000 as proposed by the House and \$337,980,000 as proposed by the Senate. These funds are available until expended as proposed by the Senate. Statutory language providing \$12,000 for official reception and representation expenses has also been included.

The conferees direct the Administrator of NNSA to provide at least \$2,500,000 for the NNSA Office of Project Management and Engineering Support to continue its project oversight work and to provide training and mentoring programs to improve the skills of NNSA program and project managers.

Defense Nuclear Nonproliferation.—The conference agreement provides \$58,000,000 for the

Federal employees in the Office of Defense Nuclear Nonproliferation. None of these funds may be taxed by the NNSA for any purpose without prior notification and approval by the House and Senate Committees on Appropriations.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL MANAGEMENT

The conference agreement provides a total of \$6,626,877,000 for Defense Environmental Management instead of \$6,748,457,000 as proposed by the House and \$6,743,045,000 as proposed by the Senate. This funding is provided in two separate appropriations: \$5,651,062,000 for Defense Site Acceleration Completion and \$991,144,000 for Defense Environmental Services, and also includes a rescission of \$15,329,000 from the Defense Environmental Management Privatization account.

Lack of Agreement for Accelerated Performance Management Plans.—The conferees share the concerns articulated in the House report regarding the linkage between additional funding for accelerated cleanup and the agreement of State regulators to the accelerated performance management plans. The House withheld funds for specific accelerated cleanup projects where State agreement was lacking. Where the necessary State agreement has been reached by the time of this conference, those funds have been restored. Although a final agreement has not yet been reached with the State of New Mexico on the accelerated cleanup plan for the Los Alamos National Laboratory, the Department believes such agreement will be reached shortly. The conferees provide funds for accelerated cleanup of this site in fiscal year 2004, but remind the Department and the State of New Mexico that these funds for accelerated cleanup activities at Los Alamos are contingent on the Department and the State reaching final agreement in the near future.

Statutory Changes Required for Accelerated Cleanup.—The conferees strongly object to the Department sending forth its contractors to advocate for legislative changes that are necessary to execute accelerated cleanup plans, as was apparently the case with the proposal to consider the material in the Fernald silos as suitable for disposal as 11e.(2) material. If such statutory changes are responsible and for the benefit of the Government and the taxpayer, then the Department should submit such changes as part of a formal legislative proposal from the Administration to the Congress. The conferees direct the Department to review its current Performance Management Plans and cleanup contracts to identify any other instances where statutory changes are required to execute accelerated cleanup. The conferees direct the Department to report to the House and Senate Committees on Appropriations and to the relevant House and Senate authorizing committees within 60 days after enactment of this Act with the results of this review, and to submit a comprehensive legislative proposal with the fiscal year 2005 budget request including all such proposed changes to existing law.

Review of Cost and Schedule Baselines.—The conferees share the concerns expressed in the House and Senate reports regarding the recent 33 percent cost increase for the Hanford Waste Treatment and Immobilization Plant. This increase reflects a troubling lack of accountability at the Department for prior cost and schedule estimates, and does not inspire Congressional confidence in the reliability of the current cost and schedule baseline for this project and for other major cleanup projects. Therefore, the conferees direct the Department to transfer \$1,500,000 to the U.S. Army Corps of Engineers Directorate of Expertise for Cost Engineering (i.e.,

the Corps Walla Walla District) to conduct a detailed, bottoms-up, independent review of the cost and schedule baseline for the Hanford Waste Treatment and Immobilization Plant. This independent review should be completed no later than April 30, 2004, to allow the results of the Corps review to inform the House and Senate Committees on Appropriations in their consideration of the Department's fiscal year 2005 budget request. The conferees expect the Department to execute this fund transfer within 30 days of enactment of this Act, and to provide full cooperation to the Corps in executing this independent review.

The conference agreement also directs the Department to transfer \$2,500,000 from the Office of Environmental Management to the Office of Management, Budget and Evaluation to increase its oversight of the Department's accelerated cleanup projects. The conferees concur with the Senate language directing the Department to report back to the House and Senate Committees on Appropriations by March 15, 2004, with a specific proposal on how to use these additional funds to establish a formal process by which the Office of Management, Budget and Evaluation shall certify to the Committees that new acceleration and reform agreements based on the site performance management plans are comprehensive in their cost estimates and contain adequate contingency amounts.

Oak Ridge Adjustments.—At the request of the Department, the conference agreement makes a number of reallocations to reflect the current cleanup plans for Oak Ridge National Laboratory, the East Tennessee Technology Park, and the Y-12 Plant. The reallocations occur in the Defense Site Acceleration Completion, Defense Environmental Services, Non-Defense Environmental Services, and Uranium Enrichment D&D Fund accounts, and net to zero.

DEFENSE SITE ACCELERATION COMPLETION

The conference agreement provides \$5,651,062,000 for defense site acceleration completion, instead of \$5,758,278,000 as proposed by the House and \$5,770,695,000 as proposed by the Senate.

Accelerated Completions 2006.—The conference agreement provides \$1,248,453,000, an increase of \$3,282,000 over the request to reflect the adjustment for accelerated Oak Ridge cleanup activities.

Accelerated Completions 2012.—The conference agreement provides \$2,236,252,000, an increase of \$7,938,000 over the request to reflect the adjustment for accelerated Oak Ridge cleanup activities.

Accelerated Completions 2035.—The conference agreement provides \$1,929,536,000, a reduction of \$49,061,000 from the budget request to reflect the adjustment for accelerated Oak Ridge cleanup activities.

From within available funds, the conferees direct the Department to provide a total of \$6,000,000 for worker training programs and supporting communications infrastructure, oversight, and management activities at the Hazardous Materials Management and Emergency Response Training and Education Center. The conferees direct the Department to provide \$8,500,000 for the Hazardous Waste Worker Training Program from within available funds. The conference agreement provides \$750,000 from within available funds to the State of Oregon for its oversight activities related to the Hanford cleanup.

The conferees direct the Department to pay its title V air permitting fees at the Idaho National Laboratory consistent with prior year levels, and to bring the Pit 9 litigation to an end as expeditiously as possible. The conference agreement includes the budget request of \$1,356,000 for activities at Amchitka Island, Alaska.

Waste Isolation Pilot Plant.—The Department's activities at the Waste Isolation Pilot Plant (WIPP) are primarily funded under the Accelerated Completions 2035 sub-account within the Defense Site Acceleration Completion account. From within available funds for Accelerated Completions 2035, the conferees direct the Department to provide an additional \$3,500,000 to the Carlsbad community for educational support, infrastructure improvements, and related initiatives to address the impacts of accelerated operations at WIPP, and an additional \$1,500,000 to consolidate at Carlsbad all record archives relevant to the operations of WIPP and the transuranic waste in WIPP.

Technology Development and Deployment.—The conference agreement provides \$66,920,000, an increase of \$3,000,000 over the budget request. From within available funds, the conference agreement provides \$4,500,000 to continue the five-year agreement with AEA technology and \$7,000,000 to continue the five-year agreement with Florida International University's Hemispheric Center for Environmental Technology.

Within available funds, the conference agreement provides \$5,000,000 for the Western Environmental Technology Office; \$5,000,000 for the Diagnostic Instrumentation and Analysis Laboratory; \$2,000,000 for work on the subsurface science research institute by Idaho National Laboratory and the Inland Northwest Research Alliance institutions; and \$3,000,000 for the Mid-Atlantic Recycling Center for End-of-Life Electronics. The conferees direct the Department to renew its cooperative agreements with the University of Nevada-Las Vegas Research Foundation and the University of Nevada-Reno, and to continue its support of the Tribal Colleges Initiative involving Crownpoint Institute of Technology, Diné College in New Mexico, and the Southwestern Indian Polytechnic Institute to develop high quality environmental programs at tribal colleges.

Within available funds, the conference agreement provides \$3,000,000 to continue the arsenic removal research in conjunction with the American Water Works Association as begun in fiscal year 2003; \$3,000,000 in support of desalination research consistent with the Desalination and Water Purification Technology roadmap developed in partnership with the Bureau of Reclamation; \$750,000 to support the public/private ZeroNet Energy Water Initiative; and \$3,000,000 to fund the demonstration on Native American reservations of a stand-alone stilling engine combined with an advanced vapor compression distillation system for removing water contaminants.

Within available funds, the conference agreement provides \$1,500,000 for the Advanced Monitoring Systems Initiative at the Nevada Test Site; \$1,000,000 for the Management of Nevada Natural Resources with Remote Sensing Systems program; \$1,000,000 for the Desert Research Institute's Yucca Mountain Environmental Monitoring Program; and \$500,000 to initiate development of an electrochemical system utilizing ceramic ionic transport membranes for the recycle and disposal of radioactive sodium-ion waste.

Reprogramming authority.—The conferees support the need for flexibility to meet changing funding requirements at sites that are undergoing accelerated cleanup activities. In fiscal year 2004, each site manager may transfer up to \$5,000,000 between Defense Site Acceleration Completion subaccounts (i.e., accelerated completions 2006, accelerated completions 2012, accelerated completions 2035, and line item construction projects) to reduce health or safety risks or to gain cost savings as long as no program or project is increased or decreased by more

than a total of \$5,000,000 during the fiscal year. This reprogramming authority may not be used to initiate new programs or programs specifically denied, limited, or increased by Congress in the Act or report. The Committees on Appropriations in the House and Senate must be notified within thirty days of the use of this reprogramming authority.

Safeguards and security.—The conference agreement includes \$303,606,000, an increase of \$3,629,000 over the budget request, for safeguards and security activities at laboratories and facilities managed by the Office of Environmental Management. The increase reflects the adjustment for accelerated Oak Ridge cleanup activities.

Funding adjustments.—The conference agreement includes the use of \$132,361,000 of prior year balances to offset fiscal year 2004 spending. In addition, the conferees direct the Department to use \$21,000,000 of prior year balances to meet a portion of the Department's liability stemming from the termination of the contract with the Ohio Valley Electric Corporation for power to supply the Portsmouth Gaseous Diffusion Plant. The conference agreement also includes an offset of \$1,344,000 for the security costs associated with reimbursable work.

DEFENSE ENVIRONMENTAL SERVICES

The conference agreement provides \$991,144,000 instead of \$990,179,000 as proposed by the House and \$987,679,000 as proposed by the Senate. The conference agreement includes \$61,570,000 for community and regulatory support, \$452,000,000 for the Federal contribution to the Uranium Enrichment Decontamination and Decommissioning Fund, \$210,430,000 for non-closure environmental activities, and \$287,144,000 for program direction. The conference agreement includes within these amounts an additional \$20,732,000 in non-closure environmental activities and an additional \$233,000 in community and regulatory support to reflect the adjustment for accelerated Oak Ridge cleanup activities.

Within available funds, the conference agreement includes \$2,500,000 for the Waste Management Education and Research Consortium consistent with the terms of its cooperative agreement with the Department, and \$500,000 to support the Energy and Environmental Hispanic Community Participation project of the Self Reliance Foundation.

From within available funds for Community and Regulatory Support, the conferees direct the Department to use \$1,000,000 for regulatory and technical assistance to the State of New Mexico to amend the existing WIPP Hazardous Waste Permit to comply with the provisions of section 310 of this Act. Also from within available funds, the conferees provide \$3,000,000 for the US-Mexico Border Program and expect the funds to be allocated for the following activities which focus on reducing waste streams that threaten public health along the US-Mexico border: Ongoing university programs associated with the needs of Carlsbad and WIPP and the Center of Excellence in Hazardous Materials.

Within the funds available for community and regulatory support, the conferees direct the Department to provide \$1,000,000 for the State of Nevada and \$4,000,000 for the affected units of local government for external oversight activities related to nuclear waste disposal in Nevada.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION (RESCISSION)

The conference agreement includes the rescission of \$15,329,000 from the Defense Environmental Management Privatization account as proposed by the Senate. The bal-

ances shall be derived as follows: \$13,329,000 from the Paducah Disposal Facility Privatization (OR-574) and \$2,000,000 from the Portsmouth Disposal Facility Privatization (OR-674).

OTHER DEFENSE ACTIVITIES

The conference agreement provides \$674,491,000 for Other Defense Activities instead of \$666,516,000 as proposed by the House and \$492,209,000 as proposed by the Senate. Details of the conference agreement are provided below.

ENERGY SECURITY AND ASSURANCE

The conference agreement provides \$22,472,000 for the energy security and assurance program. Of the additional funds included for the Office of Energy Assurance, \$16,000,000 shall be available for the National Energy Technology Laboratory (NETL) to implement and manage a national energy assurance training capability and other related activities to support the Department in accordance with its National Agenda for Energy Assurance activities, including \$3,500,000 for program direction costs, travel, and other related direct and indirect expenses. An additional \$4,000,000 shall be for NETL to implement and manage construction, renovation, furnishing, and demolition of agency facilities. The conferees provide \$2,472,000 for program direction in the Office of Energy Security and Assurance.

OFFICE OF SECURITY

The conference agreement provides \$211,757,000, the same as the budget request, for the Office of Security.

INTELLIGENCE

The conference agreement includes \$39,823,000, the same as the budget request, for the Department's intelligence program.

COUNTERINTELLIGENCE

The conference agreement includes \$45,955,000, the same as the budget request, for the Department's counterintelligence program.

INDEPENDENT OVERSIGHT AND PERFORMANCE ASSURANCE

The conference agreement provides \$22,575,000, the same as the budget request, for the independent oversight and performance assurance program.

ENVIRONMENT, SAFETY AND HEALTH (DEFENSE)

The conference agreement provides \$112,261,000 for defense-related environment, safety and health activities, including \$18,910,000 for program direction. The conferees have provided \$3,075,000, an increase of \$2,075,000 above the budget request, for medical monitoring at the gaseous diffusion plants at Paducah, Kentucky, and Portsmouth, Ohio, and Oak Ridge, Tennessee. The conferees have provided \$4,000,000 to continue the DOE worker records digitization project through the Research Foundation at the University of Nevada-Las Vegas. The conferees direct the Department to establish an employee field resource center in the Bay Area of the State of California within 120 days of enactment.

Energy Employees Compensation Initiative.—The conferees are very concerned about the Department's lackluster performance to date in processing the employee claims under Subtitle D of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) of 2000. The conferees do not adopt the Senate proposal to transfer responsibility for processing the Subtitle D claims from the Department of Energy to the Department of Labor. However, if the Department does not show significant improvement in processing Subtitle D claims during fiscal year 2004, the conferees will consider seriously such a transfer next fiscal year. The

conferees also encourage the Department to work with the authorizing committees to streamline Subtitle D of the EEOICPA. Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to the House and Senate Committees on Appropriations and the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on administrative expenditures of the Department for the EEOICPA.

WORKER AND COMMUNITY TRANSITION

The conference agreement provides \$13,400,000 for the worker and community transition program. Funding of \$1,400,000 has been provided for the Pinellas Community Reuse Organization to complete the STAR Center transition, as proposed by the House. The conferees agree with the Senate language on incorporating the mission of the Office of Worker and Community Transition with the Office of Legacy Management. The conferees expect the two separate activities for worker and community transition and legacy management to continue to be identified separately in future budget requests.

No funds may be used to augment the \$13,400,000 made available for obligation for severance payments and other benefits and community assistance grants unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

LEGACY MANAGEMENT

The conferees support the fiscal year 2004 budget request proposal to establish the Office of Legacy Management to manage the long-term stewardship responsibilities at the Department's cleanup sites. The conference agreement provides a total of \$47,525,000 for the Office of Legacy Management, the same as the budget request, of which \$19,178,000 is provided in Other Defense Activities and the balance is provided in Non-Defense Environmental Services. The conferees encourage the Department to utilize the Mike Mansfield Advanced Technology Center to support the new Office of Legacy Management.

FUNDING FOR DEFENSE ACTIVITIES IN IDAHO

The conference agreement provides \$112,306,000 as proposed in the House Report to fund the defense-related activities at the Idaho National Engineering and Environmental Laboratory (INEEL) and associated Idaho cleanup sites.

NATIONAL SECURITY PROGRAMS ADMINISTRATIVE SUPPORT

The conference agreement provides \$86,679,000 as proposed by the House for national security programs administrative support.

OFFICE OF HEARINGS AND APPEALS

The conference agreement provides \$3,797,000 for the Office of Hearings and Appeals, the same as the budget request.

FUNDING ADJUSTMENTS

Funding adjustments include a security charge for reimbursable work of \$712,000 and a reduction of \$15,000,000 to be applied to those programs that have balances carried over from prior fiscal years and lower priority program activities.

DEFENSE NUCLEAR WASTE DISPOSAL

The conference agreement provides \$390,000,000 for the defense contribution to the nuclear waste repository program, a reduction of \$40,000,000 from the request.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

The conferees are aware of the Department of the Treasury's concerns relating to Bonneville Power Administration's financial accounting practices and expect Bonneville to

rectify the situation as soon as is possible. The conferees agree with the House Report language directing the Secretary of Energy to conduct a review of Bonneville's mission, management, and financial condition and make specific recommendations to Congress to address GAO findings. The Secretary should submit this report to the House and Senate Committees on Appropriations by April 30, 2004. No new direct loan obligations may be made during fiscal year 2004.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

The conference agreement includes \$5,100,000, the same as the budget request, for the Southeastern Power Administration. The conference agreement provides \$34,000,000 for purchase power and wheeling in fiscal year 2004. The offsetting collections total of \$34,000,000 includes \$15,000,000 made available in Public Law 106-377 for use in fiscal year 2004, plus an additional \$19,000,000 provided in this Act.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

The conference agreement includes \$28,600,000, the same as the budget request, for the Southwestern Power Administration. The conference agreement provides \$1,800,000 for purchase power and wheeling in fiscal year 2004. The offsetting collections total of \$1,800,000 includes \$288,000 made available in Public Law 106-377 for use in fiscal year 2004, plus an additional \$1,512,000 provided in this Act. The Committee recommendation also provides authority for Southwestern to accept advances from non-Federal entities to provide interconnections to Southwestern's transmission system.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

The conference agreement provides \$177,950,000, an increase of \$6,950,000 over the budget request for Western Area Power Administration. The conference agreement includes \$6,200,000 for the Utah Mitigation and Conservation Account and \$750,000 on a non-reimbursable basis for a transmission study on the placement of 500 MW of wind energy in North Dakota and South Dakota. The conference agreement provides \$186,100,000 for purchase power and wheeling in fiscal year 2004. The offsetting collections for purchase power and wheeling includes \$20,000,000 made available in Public Law 106-377 for use in fiscal year 2004, plus an additional \$162,108,000 provided in this Act. The conference agreement includes \$4,825,000 for upgrades to substations and transmission lines for the South of Phoenix portion of the Parker-Davis project as proposed by the House.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

The conference agreement includes \$2,640,000, the same as the budget request, for the Falcon and Amistad Operating and Maintenance Fund.

FEDERAL ENERGY REGULATORY COMMISSION SALARIES AND EXPENSES

The conference agreement includes \$204,400,000 for the Federal Energy Regulatory Commission (FERC), an increase of \$5,000,000 over the budget request. The conferees provide the additional funds for FERC work related to the August 2003 blackout and for subsequent implementation of enforceable reliability standards. Revenues for FERC are set at an amount equal to the budget authority, resulting in a net appropriation of \$0.

The conferees are concerned that the cyber security standard recently announced by the North American Electric Reliability Council omits process control systems, distributed

control systems, and electronic relays for generating stations, switching stations, and substations from the definition of critical cyber assets. Computer systems that provide security to the national power grid are increasingly integrated among generation, transmission, and distribution, and control and communication functions, and therefore share interdependent vulnerability. Given that technologies exist in the marketplace to protect plant-level control systems, the conferees encourage the Federal Energy Regulatory Commission to ensure that process control systems, switching stations, and substations are adequately protected by any cyber security standards issued for the national power grid.

The conferees have concerns regarding the continuing impacts of Enron's past business practices on electricity customers in Nevada wherein Enron Power Marketing, Inc., terminated forward power contracts it entered into with Sierra Pacific Power Company and Nevada Power Company and is now seeking under bankruptcy protection to enforce full collection of termination payments for such contracts even though no power was ever delivered. In addition to the substantial record of fraud and market manipulation which has been established through Congressional oversight, the FERC, based upon its own investigation has appropriately sanctioned Enron with a "death penalty" prohibition against participation in the energy trading business in the future. The conferees expect FERC to review carefully the uniquely inequitable circumstances such as those in Nevada which could result in additional adverse impacts on electricity consumers resulting from Enron's past illegal activities. Further, the conferees encourage FERC to view any contract for the sale of electric energy at wholesale that contains rates, terms, or conditions affected by any manipulative or fraudulent activity to be deemed contrary to the public interest.

GENERAL PROVISIONS DEPARTMENT OF ENERGY

Sec. 301. The conference agreement modifies bill and report language proposed by the House requiring competition of certain management and operating (M&O) contracts of the Department of Energy. This section applies to those M&O contracts that were awarded non-competitively over fifty years ago (i.e., fifty years prior to the start of fiscal year 2004). The affected contracts are specifically identified as: Ames Laboratory, Argonne National Laboratory, Lawrence Berkeley National Laboratory, Lawrence Livermore National Laboratory, and Los Alamos National Laboratory.

Subsection (a) limits the use of appropriated funds to pay for these contracts unless the Secretary, not later than 60 days after enactment of this Act, notifies Congress and publishes in the Federal Register a notice of his decision to compete these contracts when their current terms expire. Subsection (a)(2) allows the Secretary to use a reasonable amount of funds to maintain operations of these contracts during the 60-day period beginning on the date of enactment of this Act.

The conferees recognize the challenges inherent in competing these contracts, especially those that are currently managed by non-profit educational institutions and those that are located on university property. The conferees expect that the Secretary's Blue Ribbon Commission on the Use of Competitive Procedures for DOE Laboratories will advise the Secretary how to address these challenges. Further, the conferees recognize the difficulties of competing these five laboratory contracts over the next two fiscal years, which is the time span during which the current contracts will expire. The con-

ferees expect the Secretary to use the flexibility provided by subsection (a)(3) to stagger the award dates for these five contracts, so that incumbents and other potential bidders do not have to compete for multiple contracts with the same award date, as would be the case with the Argonne-East and Argonne-West contracts.

The conferees strongly encourage the Secretary to use the competitive procedures outlined in 41 U.S.C. 253. The exemption from full and open competition for federally funded research and development centers (FFRDCs), as provided in 41 U.S.C. 253(c)(3), shall not be used as a rationale for not competing these five laboratory contracts. The Department has successfully competed a number of contracts for other DOE laboratories that have been, and continue to be, designated as FFRDCs, and the FFRDC status of the five laboratories that are the subject of this section should not be used to avoid competition for those contracts. The Secretary may, however, use the flexibility provided in 41 U.S.C. 253 to tailor a procurement that will attract both for-profit and non-profit bidders.

Sec. 302. The conference agreement includes a provision proposed by the House and Senate that none of the funds may be used to prepare or implement workforce restructuring plans or provide enhanced severance payments and other benefits and community assistance grants for Federal employees of the Department of Energy under section 3161 of the National Defense Authorization Act of Fiscal Year 1993, Public Law 102-484. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 303. The conference agreement includes a provision proposed by the House and Senate that none of the funds may be used to augment the \$13,400,000 made available for obligation for severance payments and other benefits and community assistance grants unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 304. The conference agreement includes a provision proposed by the House and Senate that none of the funds may be used to prepare or initiate Requests for Proposals for a program if that program has not been funded by Congress in the current fiscal year. This provision also precludes the Department from initiating activities for new programs which have been proposed in the budget request, but which have not yet been funded by Congress. This provision has been carried in previous Energy and Water Development Appropriations Acts.

(TRANSFERS OF UNEXPENDED BALANCES)

Sec. 305. The conference agreement includes a provision proposed by the House and Senate that permits the transfer and merger of unexpended balances of prior appropriations with appropriation accounts established in this bill. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 306. The conference agreement includes a provision proposed by the House and Senate prohibiting the Bonneville Power Administration from performing energy efficiency services outside the legally defined Bonneville service territory unless the Administrator certifies in advance that such services are not available from private sector businesses. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 307. The conference agreement includes a provision proposed by the House establishing certain notice and competition requirements for Department of Energy user

facilities. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 308. The conference agreement includes a provision proposed by the House and Senate allowing the Administrator of the National Nuclear Security Administration to authorize certain nuclear weapons production plants, including the Nevada Test Site, to use not more than 2 percent of available funds for research, development and demonstration activities. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 309. The conference agreement includes a provision proposed by the House and Senate which would authorize intelligence activities of the Department of Energy for purposes of section 504 of the National Security Act of 1947 until enactment of the Intelligence Authorization Act for fiscal year 2004.

Sec. 310. The conference agreement includes a provision proposed by the Senate limiting the types of waste that can be disposed of in the Waste Isolation Pilot Plant in New Mexico. None of the funds may be used to dispose of transuranic waste in excess of 20 percent plutonium by weight for the aggregate of any material category. At the Rocky Flats site, this provision includes: ash residues; salt residues; wet residues; direct

repackage residues; and scrub alloy as referenced in the "Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site". This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 311. The conference agreement includes a provision that requires that waste characterization at WIPP be limited to determining that the waste is not ignitable, corrosive, or reactive. This confirmation will be performed using radiography or visual examination of a representative subpopulation of the waste. The language directs the Department of Energy to seek a modification to the WIPP Hazardous Waste Facility Permit to implement the provisions of this section.

Sec. 312. The conference agreement modifies a provision proposed by the Senate allowing the disposal of certain waste at Fernald, Ohio, and the Niagara Falls Storage Site as "byproduct material" as defined by section 11e.(2) of the Atomic Energy Act.

Sec. 313. The conference agreement includes a provision proposed by the Senate limiting the funds that may be expended under the Advanced Concepts Initiative.

Sec. 314. The conference agreement modifies a provision proposed by the Senate relating to the Martin's Cove lease.

Sec. 315. The conference agreement includes a provision proposed by the Senate regarding the reinstatement and transfer of the FERC License for Project No. 2696.

Sec. 316. The conference agreement includes a provision limiting the use of funds provided for external oversight activities by the State of Nevada and the affected units of local government.

Provisions not adopted by the conference.—The conference agreement deletes language proposed by the Senate that: changes the arrangement for funding from the power marketing administrations for Corps of Engineers hydropower operation and maintenance activities; the limitation on funds available for engineering development of the robust nuclear earth penetrator; transfer responsibility for Subtitle D of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) from the Department of Energy to the Department of Labor; and that requires a report on administrative expenditures by DOE for EEOICPA activities.

CONFERENCE RECOMMENDATIONS

The conference agreement's detailed funding recommendations for programs in title III are contained in the following table.

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference

ENERGY SUPPLY		
RENEWABLE ENERGY RESOURCES		
Renewable energy technologies		
Biomass/biofuels energy systems.....	69,750	75,000
Geothermal technology development.....	25,500	26,000
Hydrogen research.....	87,982	78,000
Hydropower.....	7,489	5,000
Solar energy.....	79,693	85,000
Zero energy building.....	4,000	---
Wind energy systems.....	41,600	41,600
Intergovernmental activities.....	12,500	15,000
Electricity reliability.....	76,866	---
	-----	-----
Total, Renewable energy technologies.....	405,380	325,600
Renewable support and implementation		
Departmental energy management.....	2,300	2,000
Renewable program support.....	---	4,000
	-----	-----
Total, Renewable support and implementation.....	2,300	6,000
National climate change technology initiative.....	15,000	---
Facilities and infrastructure		
National renewable energy laboratory.....	4,200	9,200
Construction		
02-E-001 Science and technology facility, NREL Golden, CO.....	---	4,000
	-----	-----
Total, National renewable energy laboratory.....	4,200	13,200
Oak Ridge national laboratory		
Construction		
04-E-TBD Plant engineering and design (PED), energy reliability and efficiency laboratory....	750	---
	-----	-----
Total, Facilities and infrastructure.....	4,950	13,200
Program direction.....	16,577	12,600
	-----	-----
Subtotal, Renewable Energy Resources.....	444,207	357,400
	=====	=====
Use of prior year balances.....	---	-13,000
	-----	-----
TOTAL, RENEWABLE ENERGY RESOURCES.....	444,207	344,400
	=====	=====
ELECTRICITY TRANSMISSION AND DISTRIBUTION		
Research and development.....	---	70,807
Electricity restructuring.....	---	7,059
Program direction.....	---	3,761
Construction		
04-E-TBD Plant engineering and design (PED), energy reliability and efficiency laboratory.....	---	750
	-----	-----
TOTAL, ELECTRICITY TRANSMISSION AND DISTRIBUTION	---	82,377
	=====	=====

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference

NUCLEAR ENERGY		
Radiological facilities management		
Space and defense infrastructure.....	36,230	36,230
Medical isotopes infrastructure.....	26,425	28,425
Total, Radiological facilities management.....	62,655	64,655
University reactor fuel assistance and support.....	18,500	23,500
Research and development		
Nuclear energy plant optimization.....	---	3,000
Nuclear energy research initiative.....	12,000	11,000
Nuclear energy technologies.....	48,000	44,000
Nuclear hydrogen initiative.....	4,000	6,500
Advanced fuel cycle initiative.....	63,025	68,000
Total, Research and development.....	127,025	132,500
Idaho facilities management		
ANL-West operations.....	31,615	42,615
INEEL infrastructure.....	10,190	31,605
Construction		
99-E-200 Test reactor area electrical utility upgrade, Idaho National Engineering Lab, ID...	1,840	1,840
95-E-201 Test reactor area fire and life safety improvements, Idaho National Engineering Lab, ID	500	500
Subtotal, Construction.....	2,340	2,340
Subtotal, INEEL infrastructure.....	12,530	33,945
Total, Idaho facilities management.....	44,145	76,560
Idaho sitewide safeguards and security.....	---	56,654
Program direction.....	24,800	59,200
Subtotal, Nuclear Energy.....	277,125	413,069
	=====	=====
Funding from other defense activities.....	---	-112,306
TOTAL, NUCLEAR ENERGY.....	277,125	300,763
	=====	=====
ENVIRONMENT, SAFETY AND HEALTH		
Office of Environment, Safety and Health (non-defense)	10,000	7,000
Program direction.....	20,000	16,000
TOTAL, ENVIRONMENT, SAFETY AND HEALTH.....	30,000	23,000
	=====	=====
Subtotal, Energy supply.....	751,332	750,540
	=====	=====
General reduction.....	---	-10,000
Less security charge from reimbursable work.....	-3,003	-3,003
	=====	=====
TOTAL, ENERGY SUPPLY.....	748,329	737,537
	=====	=====

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference

NON-DEFENSE SITE ACCELERATION COMPLETION		
Accelerated completions, 2006.....	48,677	48,677
Accelerated completions, 2012.....	119,750	119,750
Accelerated completions, 2035.....	2,448	4,948
Subtotal, Non-defense Site Acceleration Completion	170,875	173,375
	=====	=====
Use of prior year balances.....	---	-10,000
	=====	=====
TOTAL, NON-DEFENSE SITE ACCELERATION COMPLETION...	170,875	163,375
	=====	=====
URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND		
Decontamination and decommissioning.....	367,124	365,484
Uranium/thorium reimbursement.....	51,000	51,000
	=====	=====
TOTAL, URANIUM ENRICHMENT D&D FUND.....	418,124	416,484
	=====	=====
NON-DEFENSE ENVIRONMENTAL SERVICES		
Community and regulatory support.....	1,034	1,034
Environmental cleanup projects.....	43,842	43,842
Office of Legacy Management (non-defense).....	---	28,347
Non-closure environmental activities.....	160,445	177,445
Construction		
02-U-101 Depleted uranium hexafluoride conversion project, Paducah, KY and Portsmouth, OH.....	86,800	98,800
Total, Non-closure environmental activities.....	247,245	276,245
	-----	-----
Subtotal, Non-defense Environmental Services.....	292,121	349,468
	=====	=====
Use of prior year balances.....	---	-10,000
	=====	=====
TOTAL, NON-DEFENSE ENVIRONMENTAL SERVICES.....	292,121	339,468
	=====	=====
SCIENCE		
High energy physics		
Proton accelerator-based physics.....	399,494	399,494
Electron accelerator-based physics.....	159,486	159,486
Non-accelerator physics.....	43,000	43,000
Theoretical physics.....	42,256	42,256
Advanced technology R&D.....	81,242	81,242
Subtotal,.....	725,478	725,478
	-----	-----
Construction		
98-G-304 Neutrinos at the main injector, Fermilab.....	12,500	12,500
Total, High energy physics.....	737,978	737,978
Nuclear physics.....	389,430	391,930
Biological and environmental research.....	499,535	592,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference

Basic energy sciences		
Research		
Materials sciences and engineering research.....	567,711	575,711
Chemical sciences, geosciences and energy biosciences.....	220,914	220,914
	-----	-----
Subtotal, Research.....	788,625	796,625
Construction		
04-R-313-Nanoscale science research center, the molecular foundry.....	35,000	35,000
04-R-313 Nanoscale science research center, the center for integrated nontechnologies, SNL/LASL...	29,850	29,850
03-SC-002 Project engineering & design (PED) SLAC.	7,500	7,500
03-R-312 Center for nanophase materials sciences, ORNL.....	20,000	20,000
02-SC-002 Project engineering and design (VL).....	3,000	3,000
99-E-334 Spallation neutron source (ORNL).....	124,600	124,600
	-----	-----
Subtotal, Construction.....	219,950	219,950
	-----	-----
Total, Basic energy sciences.....	1,008,575	1,016,575
Advanced scientific computing research.....	173,490	203,490
Science laboratories infrastructure		
Infrastructure support.....	1,520	1,520
Oak Ridge landlord.....	5,079	5,079
Excess facilities disposal.....	5,055	6,055
Safety-related corrective actions.....	---	10,000
Construction		
04-SC-001 Project engineering and design (PED), various locations.....	2,000	2,000
MEL-001 Multiprogram energy laboratory infrastructure projects, various locations.....	29,936	29,936
	-----	-----
Subtotal, Construction.....	31,936	31,936
	-----	-----
Total, Science laboratories infrastructure.....	43,590	54,590
Fusion energy sciences.....	257,310	264,110
Safeguards and security.....	48,127	51,887
Science workforce development.....	6,470	6,470
Science program direction		
Field offices.....	83,802	80,102
Headquarters.....	58,217	58,217
Technical information management program.....	7,774	7,714
Energy research analyses.....	1,020	1,020
	-----	-----
Total, Science program direction.....	150,813	147,053
	-----	-----
Subtotal, Science.....	3,315,318	3,466,083
	=====	=====

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
General reduction/use of prior year balances.....	---	-10,000
Less security charge for reimbursable work.....	-4,383	-4,383
	=====	=====
TOTAL, SCIENCE.....	3,310,935	3,451,700
	=====	=====
NUCLEAR WASTE DISPOSAL		
Repository program.....	85,830	109,830
Program direction.....	75,170	80,170
	=====	=====
TOTAL, NUCLEAR WASTE DISPOSAL.....	161,000	190,000
	=====	=====
DEPARTMENTAL ADMINISTRATION		
Administrative operations		
Salaries and expenses		
Office of the Secretary.....	4,624	4,251
Board of contract appeals.....	653	653
Chief information officer.....	42,214	35,000
Congressional and intergovernmental affairs.....	4,724	4,449
Economic impact and diversity.....	4,701	4,701
General counsel.....	22,879	20,000
Office of Management, Budget and Evaluation.....	104,210	104,210
Policy and international affairs.....	17,777	13,822
Public affairs.....	4,465	3,854
	-----	-----
Subtotal, Salaries and expenses.....	206,247	190,940
Program support		
Minority economic impact.....	1,400	1,192
Policy analysis and system studies.....	1,000	397
Energy security and assurance.....	2,000	---
Environmental policy studies.....	1,500	569
Cybersecurity and secure communications.....	26,432	26,432
Corporate management information program.....	37,632	24,000
	-----	-----
Subtotal, Program support.....	69,964	52,590
	-----	-----
Total, Administrative operations.....	276,211	243,530
Cost of work for others.....	75,095	69,682
	-----	-----
Subtotal, Departmental Administration.....	351,306	313,212
	=====	=====
Use of prior year balances and other adjustments.....	---	-10,000
Funding from other defense activities.....	-25,000	-86,679
	-----	-----
Total, Departmental administration (gross).....	326,306	216,533
	=====	=====
Miscellaneous revenues.....	-146,668	-123,000
	=====	=====
TOTAL, DEPARTMENTAL ADMINISTRATION (net).....	179,638	93,533
	=====	=====
OFFICE OF INSPECTOR GENERAL		
Office of Inspector General.....	39,462	39,462
	=====	=====
TOTAL, OFFICE OF INSPECTOR GENERAL.....	39,462	39,462
	-----	-----

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference

ATOMIC ENERGY DEFENSE ACTIVITIES		
NATIONAL NUCLEAR SECURITY ADMINISTRATION		
WEAPONS ACTIVITIES		
Directed stockpile work		
Stockpile research and development.....	433,150	412,650
Stockpile maintenance.....	405,746	409,746
Stockpile evaluation.....	202,885	201,885
Dismantlement/disposal.....	37,722	37,722
Production support.....	278,113	271,113
Field engineering, training and manuals.....	7,170	7,170
	-----	-----
Total, Directed stockpile work.....	1,364,786	1,340,286
Campaigns		
Science campaigns		
Primary certification.....	65,849	57,849
Dynamic materials properties.....	82,251	82,251
Advanced radiography.....	65,985	55,985
Secondary certification and nuclear systems		
margins.....	55,463	54,463
	-----	-----
Subtotal, Science campaigns.....	269,548	250,548
Engineering campaigns		
Enhanced surety.....	37,974	32,974
Weapons system engineering certification.....	28,238	27,238
Nuclear survivability.....	23,977	22,977
Enhanced surveillance.....	94,781	91,781
Advanced design and production technologies.....	79,917	77,917
Engineering campaigns construction activities.....	4,500	4,500
Construction		
01-D-108 Microsystem and engineering science		
applications (MESA), SNL, Albuquerque, NM.....	61,800	87,000
	-----	-----
Subtotal, Engineering campaigns & construction	66,300	91,500
	-----	-----
Subtotal, Engineering campaigns.....	331,187	344,387
Inertial confinement fusion ignition and high yield.	316,769	367,269
Construction		
96-D-111 National ignition facility, LLNL.....	150,000	150,000
	-----	-----
Subtotal, Inertial confinement fusion.....	466,769	517,269
Advanced simulation and computing.....	713,326	688,326
Construction		
01-D-101 Distributed information systems		
laboratory, SNL, Livermore, CA.....	12,300	12,300
00-D-103, Terascale simulation facility,		
LLNL, Livermore, CA.....	25,000	25,000
	-----	-----
Subtotal, Construction.....	37,300	37,300
	-----	-----
Subtotal, Advanced simulation and computing.....	750,626	725,626
Pit manufacturing and certification.....	320,228	298,528

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Readiness campaigns		
Stockpile readiness.....	55,158	55,158
High explosives manufacturing and weapons assembly/disassembly readiness.....	29,649	23,649
Non-nuclear readiness.....	37,397	33,397
Tritium readiness.....	59,893	59,893
Construction		
98-D-125 Tritium extraction facility, SR.....	75,000	75,000
Subtotal, Tritium readiness.....	134,893	134,893
Subtotal, Readiness campaigns.....	257,097	247,097
Total, Campaigns.....	2,395,455	2,383,455
Readiness in technical base and facilities		
Operations of facilities.....	972,773	1,027,773
Program readiness.....	131,093	131,093
Special projects.....	42,975	51,675
Material recycle and recovery.....	76,189	76,189
Containers.....	16,006	16,006
Storage.....	11,365	11,365
Nuclear weapons incident response.....	89,694	89,694
Subtotal, Readiness in technical base and fac.....	1,340,095	1,403,795
Construction		
04-D-101 Test capabilities revitalization, Sandia National Laboratories, Albuquerque, NM.....	36,450	36,450
04-D-102 Exterior communications infrastructure modernization, Sandia National Laboratories.....	20,000	20,000
04-D-103 Project engineering and design (PED), various locations.....	2,000	3,564
04-D-104 National security sciences building, Los Alamos National Laboratory, Los Alamos, NM.....	50,000	50,000
04-D-125 Chemistry and metallurgy facility replacement project, Los Alamos National Laboratory, Los Alamos, NM.....	20,500	10,000
04-D-126 Building 12-44 production cells upgrade, Pantex plant, Amarillo, TX.....	8,780	8,780
04-D-127 Cleaning and loading modifications, Savannah River site, Aiken, SC.....	2,750	2,750
04-D-128 TA-18 mission relocation project, Los Alamos Laboratory, Los Alamos, NM.....	8,820	8,820
03-D-103 Project engineering and design various locations.....	10,570	10,570
03-D-121 Gas transfer capacity expansion, Kansas City Plant, Kansas City, MO.....	15,300	11,300
03-D-123 Special nuclear materials requalification, Pantex plant, Amarillo, TX.....	7,628	7,628
02-D-103 Project engineering and design, various locations.....	10,950	10,950

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
02-D-105 Engineering technology complex upgrade, LLNL, CA.....	9,776	9,776
02-D-107 Electrical power systems safety communications and bus upgrades, NV.....	2,887	2,887
01-D-103 Project engineering and design (PE&D), various locations.....	1,600	1,600
01-D-124 HEU materials facility, Y-12 plant, Oak Ridge, TN.....	45,000	45,000
01-D-126 Weapons Evaluation Test Laboratory Pantex Plant, Amarillo, TX.....	2,838	2,838
99-D-104 Protection of real property (roof reconstruction-Phase II), LLNL, Livermore, CA.....	3,500	3,500
99-D-127 Stockpile management restructuring initiative, Kansas City plant, Kansas City, MO....	12,475	12,475
96-D-102 Stockpile stewardship facilities revitalization (Phase VI), various locations.....	1,552	1,552
Subtotal, Construction.....	273,376	260,440
Total, Readiness in technical base and facilities.	1,613,471	1,664,235
Facilities and infrastructure recapitalization program	261,404	236,404
Construction		
04-D-203 Facilities and infrastructure recapitalization program (FIRP), project engineering design (PED), various locations.....	3,719	3,719
Total, Facilities and infrastructure recapitalization program.....	265,123	240,123
Secure transportation asset		
Operations and equipment.....	123,605	123,605
Program direction.....	58,795	58,795
Subtotal, Secure transportation asset.....	182,400	182,400
Use of prior year balances.....	---	-20,000
Total, Secure transportation asset.....	182,400	162,400
Safeguards and security.....	582,067	582,067
Construction		
99-D-132 SMRI nuclear material safeguards and security upgrade project (LANL), Los Alamos, NM...	3,683	3,683
Total, Safeguards and security.....	585,750	585,750
Subtotal, Weapons activities.....	6,406,985	6,376,249

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Use of prior year balances.....	---	-74,753
Less security charge for reimbursable work.....	-28,985	-28,985
Subtotal, Weapons Activities.....	6,378,000	6,272,511
	=====	=====
TOTAL, WEAPONS ACTIVITIES.....	6,378,000	6,272,511
	=====	=====
DEFENSE NUCLEAR NONPROLIFERATION		
Nonproliferation and verification, R&D.....	203,873	233,373
Nonproliferation and international security.....	101,734	110,734
Nonproliferation programs with Russia		
International materials protection, control, and cooperation.....	226,000	260,000
Accelerated highly enriched uranium (HEU)		
Russian transition initiative.....	40,000	40,000
HEU transparency implementation.....	18,000	18,000
International nuclear safety.....	14,083	4,000
Elimination of weapons-grade plutonium production program.....	50,000	50,000
Accelerated materials disposition.....	30,000	---
Fissile materials disposition		
U.S. surplus materials disposition.....	193,805	193,805
Russian surplus materials disposition.....	47,100	47,100
Construction		
99-D-141 Pit disassembly and conversion facility Savannah River, SC.....	13,600	13,600
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC.....	402,000	402,000
Subtotal, Construction.....	415,600	415,600
Subtotal, Fissile materials disposition.....	656,505	656,505
Total, Nonproliferation programs with Russia.....	1,034,588	1,028,505
Subtotal, Defense Nuclear Nonproliferation.....	1,340,195	1,372,612
	=====	=====
Use of prior year balances.....	---	-45,000
	=====	=====
TOTAL, DEFENSE NUCLEAR NONPROLIFERATION.....	1,340,195	1,327,612
	=====	=====
NAVAL REACTORS		
Naval reactors development.....	724,600	723,100
Construction		
03-D-201 Cleanroom technology facility, Bettis atomic power lab, West Mifflin, PA.....	300	300
90-N-102 Expanded core facility dry cell project, Naval Reactors Facility, ID.....	18,300	18,300
Subtotal, Construction.....	18,600	18,600
Total, Naval reactors development.....	743,200	741,700

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference

Program direction.....	25,200	26,700
Subtotal, Naval Reactors.....	768,400	768,400
	=====	=====
Use of prior year balances.....	---	-2,000
	=====	=====
TOTAL, NAVAL REACTORS.....	768,400	766,400
	=====	=====
OFFICE OF THE ADMINISTRATOR		
Office of the Administrator.....	347,980	281,980
Defense nuclear nonproliferation.....	---	58,000
	=====	=====
TOTAL, OFFICE OF THE ADMINISTRATOR.....	347,980	339,980
	=====	=====
TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION...	8,834,575	8,706,503
	=====	=====
DEFENSE SITE ACCELERATION COMPLETION		
Accelerated completions, 2006.....	1,245,171	1,248,453
Accelerated completions, 2012.....	1,512,554	1,520,492
Construction		
04-D-414 Project engineering and design (PED), various locations.....	23,500	23,500
04-D-423 Container surveillance capability in 235-F, Savannah River.....	1,134	1,134
02-D-402 Intec cathodic protection system expansion project, INEEL, Idaho Falls, ID.....	1,126	1,126
01-D-416 Hanford waste treatment plnt, Richland WA	690,000	690,000
Subtotal, Construction.....	715,760	715,760
	-----	-----
Total, Accelerated completions, 2012.....	2,228,314	2,236,252
Accelerated completions, 2035.....	1,892,884	1,843,823
Construction		
04-D-408 Glass waste storage building #2, Savannah River.....	20,259	20,259
03-D-403 Immobilized high-level waste interim storage facility, Richland, WA.....	13,954	13,954
03-D-414 Project engineering and design (PED), various locations.....	51,500	51,500
Subtotal, Construction.....	85,713	85,713
	-----	-----
Total, Accelerated completions, 2035.....	1,978,597	1,929,536
Safeguards and security.....	299,977	303,606
Technology development and deployment.....	63,920	66,920
	-----	-----
Subtotal, Defense Site Acceleration Completion....	5,815,979	5,784,767
	=====	=====

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Less security charge for reimbursable work.....	-1,344	-1,344
Use of prior year balances.....	---	-132,361
	=====	=====
TOTAL, DEFENSE SITE ACCELERATION COMPLETION.....	5,814,635	5,651,062
	=====	=====
DEFENSE ENVIRONMENTAL SERVICES		
Community and regulatory support.....	61,337	61,570
Federal contribution to the uranium enrichment.....	452,000	452,000
Non-closure environmental activities.....	189,698	210,430
Program direction.....	292,144	287,144
Use of prior year balances.....	---	-20,000
	-----	-----
TOTAL, DEFENSE ENVIRONMENTAL SERVICES.....	995,179	991,144
	=====	=====
Defense Environmental Management Privatization (rescission).....	---	-15,329
	=====	=====
TOTAL, DEFENSE ENVIRONMENTAL MANAGEMENT.....	6,809,814	6,626,877
	=====	=====
OTHER DEFENSE ACTIVITIES		
Other national security programs		
Energy security and assurance		
Energy security.....	---	20,000
Program direction.....	4,272	2,472
	-----	-----
Subtotal, Energy security and assurance.....	4,272	22,472
Office of Security		
Nuclear safeguards and security.....	104,713	104,713
Security investigations.....	54,554	54,554
Program direction.....	52,490	52,490
	-----	-----
Subtotal, Office of Security.....	211,757	211,757
Intelligence.....	39,823	39,823
Counterintelligence.....	45,955	45,955
Independent oversight and performance assurance.....	22,575	22,575
Environment, safety and health (Defense).....	87,276	93,351
Program direction - EH.....	20,410	18,910
	-----	-----
Subtotal, Environment, safety & health (Defense)	107,686	112,261
Worker and community transition.....	12,321	10,721
Program direction - WT.....	2,679	2,679
	-----	-----
Subtotal, Worker and community transition.....	15,000	13,400
Office of Legacy Management (defense).....	47,525	19,178
National Security programs administrative support...	25,000	86,679
Defense activities at INEEL.....	113,476	112,306
Office of hearings and appeals.....	3,797	3,797
	-----	-----
Subtotal, Other Defense Activities.....	636,866	690,203
	=====	=====

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Use of prior year balances.....	---	-15,000
Less security charge for reimbursable work.....	-712	-712
	=====	=====
TOTAL, OTHER DEFENSE ACTIVITIES.....	636,154	674,491
	=====	=====
DEFENSE NUCLEAR WASTE DISPOSAL		
Defense nuclear waste disposal.....	430,000	390,000
CERRO GRANDE FIRE ACTIVITIES		
Cerro Grande fire activities (rescission).....	-75,000	---
	=====	=====
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES.....	16,635,543	16,397,871
	=====	=====
POWER MARKETING ADMINISTRATIONS		
SOUTHEASTERN POWER ADMINISTRATION		
Operation and maintenance		
Purchase power and wheeling.....	15,000	34,000
Program direction.....	5,100	5,100
	-----	-----
Subtotal, Operation and maintenance.....	20,100	39,100
Offsetting collections.....	---	-19,000
Carryover offsetting collections (P.L. 106-377).....	-15,000	-15,000
	-----	-----
TOTAL, SOUTHEASTERN POWER ADMINISTRATION.....	5,100	5,100
	=====	=====
SOUTHWESTERN POWER ADMINISTRATION		
Operation and maintenance		
Operating expenses.....	4,663	4,663
Purchase power and wheeling.....	288	1,800
Program direction.....	19,205	19,205
Construction.....	4,732	4,732
	-----	-----
Subtotal, Operation and maintenance.....	28,888	30,400
Offsetting collections.....	---	-1,512
Carryover offsetting collections (P.L. 106-377).....	-288	-288
	-----	-----
TOTAL, SOUTHWESTERN POWER ADMINISTRATION.....	28,600	28,600
	=====	=====
WESTERN AREA POWER ADMINISTRATION		
Operation and maintenance		
Construction and rehabilitation.....	12,200	12,950
System operation and maintenance.....	36,204	36,204
Purchase power and wheeling.....	20,000	186,100
Program direction.....	126,588	126,588
Utah mitigation and conservation.....	---	6,200
	-----	-----
Subtotal, Operation and maintenance.....	194,992	368,042
Offsetting collections.....	---	-166,100
Carryover offsetting collections (P.L. 98-381).....	-3,992	-3,992
Carryover offsetting collections (P.L. 106-377).....	-20,000	-20,000
	-----	-----
TOTAL, WESTERN AREA POWER ADMINISTRATION.....	171,000	177,950
	=====	=====

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND		
Operation and maintenance.....	2,640	2,640
	=====	=====
TOTAL, POWER MARKETING ADMINISTRATIONS.....	207,340	214,290
	=====	=====
FEDERAL ENERGY REGULATORY COMMISSION		
Federal energy regulatory commission.....	199,400	204,400
FERC revenues.....	-199,400	-204,400
	=====	=====
GRAND TOTAL, DEPARTMENT OF ENERGY.....	22,163,367	22,043,720
	=====	=====

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

The conference agreement appropriates \$66,000,000 for the Appalachian Regional Commission instead of \$33,145,000 as proposed by the House and \$71,145,000 as proposed by the Senate. The conferees support the Appalachian-Turkish Trade Project to promote trade and investment opportunities. From within available funds, \$1,000,000 is provided to construct a multi-purpose facility for Noxubee County, Mississippi.

The conferees direct that no Appalachian Regional Commission funds shall be appropriated to Local Development Districts or other recipients of Commission funds who do not make available to the public on request their audited statements, annual budgets, minutes of meetings, and who do not give reasonable notification of their meetings to the public and allow the public to attend such meetings.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
SALARIES AND EXPENSES

The conference agreement includes \$19,559,000 for the Defense Nuclear Facilities Safety Board as proposed by the House and Senate.

DELTA REGIONAL AUTHORITY
SALARIES AND EXPENSES

The conference agreement appropriates \$5,000,000 for the Delta Regional Authority instead of \$2,000,000 as proposed by the House and \$7,000,000 as proposed by the Senate. The conferees direct the Authority to submit to the House and Senate Committees on Appropriations quarterly financial reports providing detailed accounting data on the expenditures of funds during fiscal year 2004. The conferees also expect to receive from the Authority a detailed budget justification for the fiscal year 2005 budget. The Authority failed to comply with this requirement in fiscal year 2004.

DENALI COMMISSION

The conference agreement appropriates \$55,000,000 for the Denali Commission instead of \$48,500,000 as proposed by the Senate and no funding as proposed by the House. Within the funds provided, the conferees expect the Denali Commission to fund the projects outlined in the Senate Report, the Hope distribution line relocation, and the Southeastern Alaska Intertie System including the Upper Lynn Canal power supply project, the Swan Lake-Lake Tyee segment, the Juaneau-Green's Creek-Hoonah segment, and planning and permitting for the Petersburg-Kake segment.

The conferees are very concerned that the Commission did not comply with the requirement that it submit a detailed budget justification for fiscal year 2004. Therefore, the conferees have agreed to include a provision in the bill which provides that \$5,500,000 shall not be available to the Commission until the Commission submits a detailed budget justification for the fiscal year 2005 budget.

NUCLEAR REGULATORY COMMISSION
SALARIES AND EXPENSES

The conference agreement includes \$618,800,000 as proposed by the House and the Senate, to be offset by revenues of \$538,844,000, for a net appropriation of \$79,956,000. This reflects the statutory language adopted by the conference in fiscal year 2001 to reduce the fee recovery requirement to 92 percent in fiscal year 2004.

The conferees direct the Nuclear Regulatory Commission to contract with the National Academy of Sciences for a study of spent nuclear fuel storage at commercial reactor sites. The study should assess (1) po-

tential safety and security risks of spent nuclear fuel presently stored in cooling pools, including the density of such storage; (2) safety and security advantages, if any, of dry cask storage versus wet pool storage at reactor sites; and (3) potential safety and security advantages, if any, of dry cask storage using various single-, dual-, and multi-purpose cask designs. In light of the September 11, 2001, terrorist attacks, this study should explicitly consider the risks of terrorist attacks on these materials and the risk these materials might be used to construct a radiological dispersal device. The National Academy of Sciences should deliver a classified report to the House and Senate Committees on Appropriations no later than six months after funding is provided to undertake this study and an unclassified summary as soon as practicable thereafter.

From within funds made available to the Nuclear Regulatory Commission, the conferees direct the Commission to transfer \$1,000,000 to the National Academy of Sciences to undertake this study. The conferees expect the Commission to execute this transfer within 30 days of enactment of this Act. This study should be conducted in coordination with the Department of Homeland Security and the Department of Energy. The conferees expect the Nuclear Regulatory Commission, the Department of Homeland Security, and the Department of Energy to make available to the National Academy of Sciences the information it needs to complete this study in a timely manner. Further, the Department of Homeland Security is expected to contribute funding to this National Academy of Sciences study to meet its requirement for a separate analysis of the safety and security of spent nuclear fuel storage at commercial nuclear power plants.

TITLE V
GENERAL PROVISIONS

Section 501. The conference agreement includes language proposed by the House and the Senate directing that none of the funds appropriated in this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress except to communicate to Members of Congress.

Section 502. The conference agreement includes language proposed by the Senate regarding the purchase of American-made equipment and products, and prohibiting contracts with persons falsely labeling products as made in America. The House bill included a provision regarding the false labeling of products.

Section 503. The conference agreement includes language proposed by the House regarding the transfer of funds made available in this Act to other departments or agencies of the Federal government.

Section 504. The conference agreement includes language proposed by the House making a technical correction to the Consolidated Appropriations Resolution, 2003.

Provisions not included in the conference agreement.—The conference agreement does not include language proposed by the House regarding the release of water from the San Juan Chama project and the Middle Rio Grande project and language proposed by the House regarding the export of certain materials to the Peoples' Republic of North Korea.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2004 recommended by the Committee of Conference, with comparisons to the fiscal year 2003 amount, the 2004 budget estimates, and the House and Senate bills for 2004 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2003	\$26,712,195
Budget estimates of new (obligational) authority, fiscal year 2004	27,427,496
House bill, fiscal year 2004	27,585,000
Senate bill, fiscal year 2004	27,857,232
Conference agreement, fiscal year 2004	27,830,900
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2003	+1,118,705
Budget estimates of new (obligational) authority, fiscal year 2004	+403,404
House bill, fiscal year 2004	+245,900
Senate bill, fiscal year 2004	-26,332

DAVID L. HOBSON,
RODNEY P.
FRELINGHUYSEN,
TOM LATHAM,
ZACH WAMP,
JO ANN EMERSON,
JOHN T. DOOLITTLE
JOHN E. PETERSON,
MICHAEL K. SIMPSON,
BILL YOUNG,
PETER J. VISCLOSKEY,
CHET EDWARDS,
ED PASTOR,
JAMES E. CLYBURN,
MARION BERRY,
DAVID R. OBEY,

Managers on the Part of the House.

PETE V. DOMENICI,
THAD COCHRAN,
MITCH MCCONNELL,
ROBERT F. BENNETT,
CONRAD BURNS,
LARRY CRAIG,
CHRISTOPHER BOND,
TED STEVENS,
HARRY REID,
ROBERT BYRD,
FRITZ HOLLINGS,
PATTY MURRAY,
BYRON L. DORGAN,
DIANNE FEINSTEIN,
DANIEL K. INOUE,

Managers on the Part of the Senate.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3232. An act to reauthorize certain school lunch and child nutrition programs through March 31, 2004.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, a Joint Resolution of the House of the following title:

H.J. Res. 63. Joint Resolution to approve the "Compact of Free Association, as amended between the Government of the United States of America and the Government of the Federated States of Micronesia", and the "Compact of Free Association, as amended between the Government of the United States of America and the Government of the Republic of the Marshall Islands", and otherwise to amend Public Law 99-239, and to appropriate for the purposes of amended Public Law 99-239 for fiscal years ending on

or before September 30, 2023, and for other purposes.

The message also announced that the Senate has passed without amendment a Joint Resolution of the House of the following title:

H.J. Res. 76. Joint Resolution making further continuing appropriations for the fiscal year 2004, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1066. An act to correct a technical error from Unit T-07 of the John H. Chafee Coastal Barrier Resources System.

S. 1643. An act to exempt certain coastal barrier property from financial assistance and flood insurance limitations under the Coastal Barriers Resources Act and the National Flood Insurance Act of 1968.

S. 1663. An act to replace certain Coastal Barrier Resources System maps.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, at this time I am pleased to yield to the distinguished majority leader, the gentleman from Texas (Mr. DELAY), for the purposes of informing us of the schedule for next week and, perhaps, the coming weeks.

Mr. Speaker, I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I thank the gentleman from Maryland (Mr. HOYER) for yielding to me.

Mr. Speaker, the House will convene on Wednesday of next week at 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to the Members' offices by the end of today. Any votes called on these measures will be rolled until 6:30 p.m.

On Thursday the House will convene at 10 a.m. for legislative business. We plan to consider the conference report on H.R. 6, the Energy Policy Act of 2003, and the conference report on H.R. 2754, the Energy and Water Development Appropriations Act for fiscal year 2004.

Now for the following week, the week of November 17, we expect our first votes to occur after 6:30 p.m. on Monday. We will confirm this schedule early next week as we get a better sense of the workload and timing for completion of the various conference reports. But Members should know that there is a good chance that we would be in session through Saturday, November 22.

Mr. Speaker, I thank the gentleman for yielding, and I will be glad to answer any questions.

Mr. HOYER. Mr. Speaker, reclaiming my time, I am not sure by the announcement regarding next week's schedule. Is it the gentleman's expectation that we will be in next Friday or not?

I yield to the gentleman.

Mr. DELAY. Mr. Speaker, I do not anticipate being in next Friday.

Mr. HOYER. All right. So we will be off Friday. Now, is the gentleman pretty definite on the following Monday that we will be in at 6:30 as opposed to the normal Tuesday?

Mr. DELAY. Mr. Speaker, as definite as one can be. But as I mentioned, we will evaluate the workload for that week. If at all possible, we could probably start on Tuesday. But I think Members need to plan that we could very well have votes on Monday night.

Mr. HOYER. Mr. Speaker, I thank the majority leader. Last week we passed a continuing resolution until November 21. The gentleman did not indicate in his discussion of the schedule for the next 2 weeks the balance of appropriations bills that are pending, nor did he mention an omnibus appropriation bill. Can he clarify and give us his best thinking at this point in time as to where we are on the CR for November 21 and being able to leave on November 21? I know the gentleman mentioned the possibility of being here on Saturday, November 22. And does the gentleman expect any appropriations bills other than the energy and water, which he did reference would be on the floor either next week or the following week?

I yield to the gentleman.

Mr. DELAY. Mr. Speaker, as the gentleman knows, we have five conference reports completed. We have three more bills in conference and one more, agriculture, that we could be able to go to conference on next week. It is my understanding that the Senate may attempt to complete additional bills next week. But at some point I would anticipate that the Senate would ask us to consider several of the remaining bills in a larger package.

When, and if, they do, we will try to do our best to maximize the House's position based on the bills that the House has already passed. The gentleman knows that the House has passed all 13 of the appropriations bills, and I would hope that whatever process is necessary to wrap up these appropriations measures we would be able to complete them by November 21, thereby not requiring another continuing resolution that week. However, if all that falls apart, obviously we would be considering a continuing resolution in that week.

Mr. HOYER. Reclaiming my time, I thank the gentleman for that information. If that occurs, as the gentleman says may happen, if that occurs, can you give us your current thinking with reference to the date to which a further continuing resolution would be targeted?

Mr. DELAY. I cannot anticipate that right now. Those discussions have not gone on. Actually, people are focused on getting the appropriations process done by November 21.

Mr. HOYER. Reclaiming my time, Mr. Leader, the FSC bill, Foreign Sales Corporations Extraterritorial Income

legislation, you did not mention that. Can you tell me when or if you expect that bill to come to the floor? I yield to the gentleman.

Mr. DELAY. I thank the gentleman for yielding. We do not intend to consider that, the tax proposal, next week, but would still like for the House to consider it before the end of this session and before the EU has the opportunity to retaliate against American businesses.

Mr. HOYER. Reclaiming my time, we too are concerned about the WTO's finding of noncompliance and the EU's assertion that if we do not act by the end of the year they are going to act. That is a \$4 billion item possible cost to this country.

My understanding is the gentleman from California (Mr. THOMAS) has a bill. As the gentleman knows, there is an alternative available which, I think, frankly enjoys bipartisan support, at least the letters that are being sent around to colleagues would indicate that. In light of the fact that we want to pass legislation, Mr. Leader, can you assure us that the Crane-Rangel-Manzullo alternative would be allowed as a substitute to that piece of legislation to assure that we could, in fact, pass something?

Mr. DELAY. Mr. Speaker, I would anticipate that we would follow regular order and the traditions of the House. And a bill that comes from the Committee on Ways and Means is always tightly held in a rule. I cannot anticipate what the Committee on Rules may write at this particular time, but it has been our tradition in this House that at least one substitute or a motion to recommit, or both, have been allowed on bills that come from the Committee on Ways and Means.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that observation.

With respect to the Labor-HHS-Education bill, which is the largest appropriation bill, as the gentleman knows, that still is outstanding, do you expect that we will have a freestanding conference report on that bill, or do you expect it to be rolled into an omnibus?

Mr. DELAY. If the gentleman would yield, I hope, and I know, I hope that the Labor-HHS appropriations bill for 2004 would be considered freestanding and on its own. A lot of work has been put into that bill. The conference committee is working as hard as it can to get it out before November 21. And as this House has been working so hard to have all these bills freestanding conference reports so that Members can consider them individually, I would hope that it would be freestanding and the House could vote on it. However, if things fall apart, it could be a candidate for the larger package.

Mr. HOYER. Mr. Speaker, reclaiming my time, as the majority leader knows, there is substantial concern on this side of the aisle in this part of the House that some 206 or more districts, perhaps, will be left out of this bill in terms of consideration for individual

education and/or health projects. I want to express our great concern about that. There has been a lot of discussion about it in the press, a lot of discussion about it on the floor. The gentleman does not necessarily need to comment on it, but I want to emphasize to him the great concern that we have, as two people who have served on the Committee on Appropriations. The majority leader is not on the Committee on Appropriations now, but he has served on that committee. I am not sure he has been on there 2 decades, but a long time. If that occurs, in my memory that would be the first time.

Now, of course when Mr. Natcher was the Chair, there were no specific projects delineated for individual districts listed in that bill. But from the time that that started to be done in the mid-90s, this is the first time that I can recall on this bill or any other bill, that there has been a blanket preclusion of over 200 districts from participation in the investments made in those bills in the welfare of the American people. So I want to express that. The gentleman does not need to respond to that. I will yield to him if he wants to make a comment. He does not need to respond, but I want to reiterate that.

Mr. Leader, on the conference report on energy, I also want to ask you about the labor-health because of the magnitude of these bills.

□ 1230

The energy bill, obviously, is a major piece of legislation, an important piece of legislation. For the past several weeks you and I have been talking about conferences. You indicated this bill is coming to the floor. I again bring to your attention, Mr. Leader, that our Members appointed by the Speaker to the conference have no knowledge of a meaningful conference having been held on this bill. They do not have any meaningful knowledge of what might be in the bill.

That is true as well, I will tell the leader, of the labor-health bill. I am a conferee on the labor-health bill. I have received no notices of meetings. I have attended no meetings. I have learned of no meetings with respect to that bill. The lack of the ability of Democrats to participate in these conferences, again, I tell the leader from my perspective, is unprecedented. It is certainly not unprecedented when Members meet with them. One side of the aisle would talk about their strategies, their priorities, their objectives. But, historically, when conferences have met, both sides have been invited to attend. There has been discussion about issues.

The energy bill which is contemplated to come to this floor next week, I tell the gentleman, our side does not perceive that has happened. They have not participated. And I know that there has been a pledge that the conferees will at least, even though they are not participating, not invited,

not able to articulate their view, will at least get 48 hours receipt of the conference report for the opportunity to review it for 2 days before it comes to the floor.

I ask the leader in the case of the energy bill, will that be the policy on this side of the aisle and, therefore, if the energy bill is coming on Wednesday or Thursday, will the conferees receive at least a copy of the conference report no later than Monday?

Mr. DELAY. After consulting with the gentleman from Louisiana (Mr. TAUZIN), I am confident that the House will be able to take up this conference report next week; and if we go forward with that schedule, I can assure the gentleman that the language of the conference report will be circulated sometime on Monday so that the conferees will have the opportunity to review it before the conference committee completes its business.

This schedule should also allow plenty of time for all Members of the House to review the conference report before it is scheduled. As the gentleman also knows, the conference is a long time coming. There was a full conference formal meeting on September 5. All Members were invited and I think all Members attended. But I would like to point out to the gentleman, Mr. Speaker, that in House committees alone there have been 80 public hearings, 11 markups and 224 amendments considered on this bill. And since 2001 the House has dedicated 5 legislative days to debating the energy bill on the floor with 39 amendments considered.

Since 2002, the energy conferees have held nine public meetings to debate the comprehensive national energy bill for a total of 24 hours and 47 minutes. And in 2003 alone, Republican and Democratic energy conference staff have met no less than 10 times for more than 48 hours of discussions. And, ultimately, the decision on whether or not there will be additional conference committees does not lie in the House because the Senate is chairing the conference. And should there be an additional meeting, I can assure the gentleman that all the Members on the House side of that conference will be invited to attend.

Mr. HOYER. Reclaiming my time, the key phrase there, Mr. Leader, is should a conference be required. You are having meetings. We know that. You are having discussions. We know that. I reiterate again, notwithstanding all your numbers there, the Democrats are not included.

I will tell the gentleman further, as he knows, that in the other body the bill that passed the Senate was the Senate-passed bill from last year. Senator DOMENICI, who is one of the conferees on the floor, said we are going to substantially rewrite this bill in conference. So the debate on the floor seemed somewhat irrelevant. It was a device to get them to conference.

So this conference, more than some others where real bills were passed in

both Houses, is a very important venue for the formulation of policy. Democrats are not being given access to those considerations in a full manner. But I am pleased, Mr. Leader, that 48 hours prior to the conference meeting, that we will be getting, whenever that may occur, that we will be getting a copy of the marked up proposal so that we can consider that, digest it, and bring our views to the conference.

I assume, Mr. Leader, that that conference will be unlike the FAA conference to which this body recommitting a bill, which never met as the gentleman from Florida (Mr. MICA) pointed out on the floor, it never met, and as the gentleman from California (Mr. DREIER) has lamented and, as a result, you have to waive the rules.

Mr. Leader, with respect to Medicare, we are in the same position. Do you expect the Medicare prescription drug bill to be on the floor any time in the next 2 weeks?

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding. This is a very complicated bill. It is very extensive. It has taken hours, hundreds of hours of work on staff and Members' parts. The gentleman from California (Mr. THOMAS) is trying to put together a proposal that he can submit to the conference committee. Various Members from both sides of the aisle and both sides of the Capitol have been offering him input on this proposal. And based on my conversations with the chairman, his proposal could come very soon, or at least in the next 2 weeks. But I cannot predict for certain when the conference committee will meet to consider this proposal or when the House will vote on the Medicare conference report.

I am aware of the anxieties many of the Members feel about the progress of the Medicare legislation, but the gentleman from California (Mr. THOMAS), chairman of the conference, is working with all of the Members who want to improve the bill in order to craft a final product he can present to all the conferees.

We know how important this legislation is to the credibility of this body and to the well-being of American seniors for years to come. So I am sure that you would understand the need not to hurry in this process. And so, that said, the gentleman from California (Mr. THOMAS) is very close to completing years of work that have been put into this bill and has assured the leadership that he will have a proposal to present to all conferees in the very near future.

Mr. HOYER. I thank the gentleman for his observation; but, Mr. Leader, let me say something. Really what you just said is the gentleman from California (Mr. THOMAS) is meeting with all those who seek to improve the legislation. Improvement, of course, is in the eye of the beholder. There are 435 Members elected to this House, Mr. Leader, as we all know. Their perspective on what improves or harms legislation differs, sometimes very substantially. But

our Founding Fathers, Mr. Leader, formed a House representing a diverse American public, from many regions of this country, many areas of every State. Every State has differences within that State. My State does. Your State does.

To say that the gentleman from California (Mr. THOMAS) is only going to talk to those that he perceives as interested in improving that legislation is to say that a bill that passed this House by one vote after the roll was kept open for some 45 minutes is to say that at least half of this House will be excluded.

Mr. Leader, that is not in my opinion and in the opinion of this side of the aisle, and I believe in the opinion of the American people, the way they expect this House to run. It is not the gentleman from California's (Mr. THOMAS) view of what improves or does not improve this bill that counts. It is each of us who are elected to represent our constituents and put on the table the alternatives we believe improve that bill. They ought to be considered. We do not believe that is being done, Mr. Leader.

Mr. DELAY. If the gentleman will yield, I just have to say to the gentleman, I know the gentleman is trying to change the process of the House. We are not operating any differently than this House has always operated.

Every Member that wants to have input on this bill can find ways to have input. It has been expressed time and time again by the leadership on your side of the aisle and others that they do not want this bill. They want a different kind of bill and a different approach.

You have had that opportunity in presenting that approach and in presenting an alternative and a substitute for the will of the House, and the gentleman made a grand attempt to do that. He failed. He did not have the votes to do it.

In that process we went to conference committee. Those Members that are willing to work with, instead of obstruct, the process of getting a Medicare bill to this floor have been consulted on both sides of the aisle by many different people, not just the chairman of the conference committee. So the process is open and available to those who are willing to work with us and be constructive and productive in getting a bill so that the House can vote on it. That is the way this place works. It is the way it has always worked.

Mr. HOYER. Reclaiming my time, Mr. Leader, you and I may have a different perspective obviously. You recall, as I have discussed in the past, the Patients' Bill of Rights. Everybody was for the Patients' Bill of Rights. In fact, in the 106th Congress, as the leader will well recognize, when he was the whip and responsible for counting votes, the Patients' Bill of Rights passed this House with over 250 votes of people who saw it in a way that ought to pass, ought to be the law of the land.

As you will recall, the Speaker appointed eight out of the nine Republican conferees who had opposed the bill. Now, maybe that is the way the House in your recollection has always worked where 250 people vote for something. It never came out of conference, not surprisingly, when you had eight out of nine of the Republican conferees in the majority that opposed the bill that were in the conference. So apparently if it is on your side of the aisle and you oppose something, locking it up in conference is okay. If you are on our side of the aisle and you want to see a Patients' Bill of Rights or you want to see a Medicare prescription bill and you want to see a prescription drug bill that does not eliminate Medicare, that provides for affordable and accessible health care at a price that can be afforded by all of our seniors, then somehow you are perceived as not wanting to improve the bill and, therefore, is not worth being included.

As you know, the gentleman from New York (Mr. RANGEL), one of the senior Members of this House, the gentleman from California (Mr. THOMAS) tried to have arrested not too long ago and thrown out of the Committee on Ways and Means by the Capitol Police.

You will recall that the gentleman from New York (Mr. RANGEL) has now gone to where the conferees, theoretically, were meeting and was asked to leave. The gentleman from New York (Mr. RANGEL), the ranking Democrat on the Committee on Ways and Means, one of the seniors.

Now, I will remind the chairman that Mr. Rostenkowski chaired this committee and invariably made sure that Republicans were, in fact, included, and invariably when bills came to the floor, he had Republicans supporting those bills and they worked with him. And you will recall that he worked with the President of the United States when we were in the majority to pass the 1986 tax bill. So that may be your recollection, Mr. Leader, of how the House runs.

Mr. DELAY. If the gentleman will yield, my recollection is completely different than yours.

I can remember serving in the minority, too, and having the same frustrations that you have had. It is part of the frustrations of being in the minority.

As the gentleman understands, we are not operating in this regard any differently than the gentleman operated when you were in the majority. You work with people that want to get a bill. You do not waste a lot of time with people that do not want a bill. And then you give everybody the opportunity through the Rules of the House to participate either in the full committee, formal conference committee meetings or here on the floor of the House, and certainly ultimately expressing themselves with their vote.

Mr. HOYER. Reclaiming my time, I agree with the leader. We disagree. Our recollections are not the same. Our experiences are not the same.

Now, I have been here a little longer than the leader, but we have both been here a long time, and when we were in charge you complained as well. Therefore, you can empathize, as you say, with the pain that we feel in the minority.

□ 1245

But it is not the pain that we feel is so important, we want a bill. We may want a slightly different kind of bill than we think that the majority will report out on prescription drugs, but we want a bill. And the people who supported us want a bill, and they may want a bill that is slightly different; and democracy works when all sit down together and discuss their perspectives and try to forge a bill which accomplishes their objective. I do not think we are doing that. I lament that, and I do not think it is in the best interests of the American people.

Mr. Speaker, it is not in the quality of legislation that both the gentleman from Texas and I want to pass, even if we see that quality somewhat differently. I thank the gentleman for the information he has given us.

ADJOURNMENT TO MONDAY, NOVEMBER 10, 2003

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday, November 10, 2003.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT FROM MONDAY, NOVEMBER 10, 2003 TO WEDNESDAY, NOVEMBER 12, 2003

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, November 10, 2003, it adjourn to meet at 2 p.m. on Wednesday, November 12, 2003.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT OF OFFICIAL OB- JECTORS FOR PRIVATE CAL- ENDAR FOR 108TH CONGRESS

The SPEAKER pro tempore. On behalf of the majority and minority leaderships, the Chair announces that the

official objectors for the Private Calendar for the 108th Congress are as follows:

For the majority:
Mr. COBLE of North Carolina;
Mr. CHABOT of Ohio; and
Mrs. BLACKBURN of Tennessee.
For the minority:
Mr. BOUCHER of Virginia;
Mr. SCHIFF of California; and
Mr. GRIJALVA of Arizona.

PERSONAL EXPLANATION

(Mr. PEARCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEARCE. Mr. Speaker, I rise for the purpose of entering into the RECORD how I would have voted on issues before the House on which I was unavailable to vote on Wednesday, October 29; Thursday, October 30; and Friday, October 31.

On Wednesday, October 29, on rollcall No. 577, I would have voted "yes." On rollcall No. 578, I would have voted "yes." On rollcall No. 579, I would have voted "yes."

On Thursday, October 30, on rollcall No. 580, I would have voted "no." On rollcall No. 581, I would have voted "yes." On rollcall No. 582, I would have voted "yes." On rollcall No. 583, I would have voted "yes." On rollcall No. 584, I would have voted "no." On rollcall No. 585, I would have voted "no." On rollcall No. 586, I would have voted "yes." On rollcall No. 587, I would have voted "yes." On rollcall No. 588, I would have voted "no." On rollcall No. 589, I would have voted "no." On rollcall No. 590, I would have voted "no." On rollcall No. 591, I would have voted "no." On rollcall No. 592, I would have voted "yes." On rollcall No. 593, I would have voted "yes." On rollcall No. 594, I would have voted "no." On rollcall No. 595, I would have voted "yes." On rollcall No. 596, I would have voted "yes." On rollcall No. 597, I would have voted "yes." On rollcall No. 598, I would have voted "no." On rollcall No. 599, I would have voted "no." On rollcall No. 600, I would have voted "no." On rollcall No. 601, I would have voted "yes."

Mr. Speaker, the reason for my absence and for not voting on these important issues was because I was a member of a congressional delegation that went to Iraq to visit our troops and to personally observe conditions there.

We were able to visit our troops in Landstuhl, Germany, who have been injured bringing freedom to Iraq. We saw the excellent job our forces are doing, simultaneously setting up a free and fair democracy while bringing evildoers to justice and establishing peace in Iraq. We saw the people working together regardless of ethnicity or religion, to restore businesses and hope to a country formerly under control of despots. Because of our troops and the freedom they are establishing in Iraq,

the people there have hope, which they have not had since Saddam Hussein became dictator.

Mr. Speaker, while the business before this House is important, we must also realize that the foundation for all of our actions in this Chamber is the freedoms granted to us in the Constitution and the Bill of Rights. Our presence in Iraq is allowing the Iraqi people to, for the first time, establish a Constitution where the Iraqis will have the freedom to vote for a representative government, where the rule of law will prevail, where citizens will not fear for their lives, their property or their freedom. Let us not forget why we are able to participate in this body, and let us not deny that freedom to Iraq.

PEACE THROUGHOUT THE WORLD

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I simply want to talk about the issue of peace for a very brief moment.

Just a few minutes ago, this House passed the defense authorization bill. As a strong opponent of the initial entry into Iraq of our troops in 2002 when the resolution was on the floor, my opposition stems from the fact that there was a question as to whether or not there were weapons of mass destruction and whether we were under imminent attack. I rise today to say that there is a very important role that our troops around the world can play. The United States has always had the high moral ground on the question of peace.

I would like to turn our attention in this Nation and this administration to the idea beginning to formulate plans for peacekeeping. That is not what is occurring in Iraq today. Primarily as we see the loss of life accelerate, we need to begin to work steadfastly to draw out collaborators and allies around the question of peace.

We were successful in Kosovo and Bosnia because we had the NATO allies. We were successful in Liberia because we had the work of President Obasajno of Nigeria and his peacekeeping efforts. It is imperative that this Nation begins to formulate a strategy for peace and utilize our troops to lift up peace in this world.

DISCOUNT DRUG CARDS

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, the Medicare conferees are about to wrap up their important work on providing a prescription drug coverage plan for America's seniors; and I am excited about the impact it will have on my district, the 16th Congressional District of Florida, which has the fifth

largest population of Medicare-eligible seniors in America. Legislation I have worked on over 4 years with Senator HAGEL includes the drug discount card which is part of this historic landmark legislation which will provide for over 40 million seniors the opportunity to receive up to a 25 percent discount on their prescription drug costs.

This is good news for seniors, welcomed good news for our seniors in the 16th Congressional District, and I am hopeful as we continue our bipartisan negotiations that when we conclude our work on Medicare, it will not only be reformed, it will become cost effective, and it will also contain the vital new programs necessary to modernize for the first time in over 35 years this vitally important safety net, a medical delivery system for our seniors.

Mr. Speaker, I am excited about the drug discount card, I applaud the White House for their leadership in taking the idea of Senator HAGEL and myself to make it permanent law, and we welcome the opportunity to reach out to seniors with this good plan.

VETERANS ISSUES

(Mr. BALLANCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLANCE. Mr. Speaker, next week we will honor our Nation's military veterans for their dedication and service to the Nation, and I take great pride in this day of remembrance. A little more than 30 years ago, I had the privilege of serving in our National Guard of North Carolina, and so it is with distinction today that we remember the veterans: the veterans of the allied engagement in the Persian Gulf War, the brave men of the 7th Cavalry at the battle of Ia Drang, the airmen of MiG Alley in Korea, the Tuskegee Airmen of World War II, and so many others deserving of the highest honors. They all are brave men and women who are our United States veterans, and I am proud this morning to stand in honor of our veterans.

Next week we will honor our nation's military veterans for their dedication and service to the nation, and I take great pride in this day of remembrance.

A little more than 30 years ago, I service in the North Carolina Army National Guard, during the conflict in Vietnam. Times were uncertain then, soldiers were leaving the nation in droves, coming back seasoned veterans of a war. We did not honor our veterans in the way they deserved those many decades ago, and we have learned since that time.

And so it is with distinction today that we remember the veteran; the veteran of the allied engagement in the Persian Gulf War, the brave men of the 7th Cavalry at the battle of Ia Drang, the airmen of MiG Alley in Korea, the Tuskegee Airmen of World War II, and so many others deserving of the highest honors. They all are our brave men and women who are the United States Veteran.

I am of the belief, Mr. Speaker, that the men and women who served our nation should be

honored every day, not merely once a year, and I believe that America should fully honor the debt we owe to our veterans.

Right now, more than 250,000 troops are stationed in Iraq, all of whom will come home as war veterans. America's military veterans are there for us, wherever and whenever duty calls. It is our turn to stand up for them.

Through the "Salute to Veterans and Armed Forces Act," House Democrats are fighting to preserve and protect the health care and financial future of our nation's veterans.

As we speak, disabled veterans are prevented from collecting both their retirement pensions and disability compensation because of the unfair Disabled Veterans Tax.

Five hundred sixty thousand disabled military retirees see their retirement pension reduced one dollar for every dollar of disability pay.

They sacrificed their well-being for the Nation, and should receive their full disability pay. Every dollar.

In the 1st Congressional District which I am proud to represent, which encompasses rural eastern North Carolina, nearly 1,500 veterans lose benefits every year to the Disabled Veterans Tax, costing each veteran approximately \$5,664 in lost benefits.

Mr. Speaker, the working families in my district are already hard hit by tough economic times and widespread plant closings. The veterans in eastern North Carolina barely get by as it is.

This unfair tax on their rightfully earned income, translates into a total loss in benefits for the 1st Congressional District of almost \$8.5 million for an economically devastated area.

Mr. Speaker, my Democratic colleagues and I are fighting for an additional \$1.8 billion in veterans' health benefit that have been recently cut from the budget.

It is nothing less than shameful that military veterans have to wait as long as six months for a doctor's appointment.

Imagine, Mr. Speaker, if your child fell ill, and yet, you had to wait six months to get them help. This unacceptable scenario is a reality for 60,000 American Military Veterans every year in this country.

We are fighting to expand veterans' job training, higher education and housing programs. If we have money to send them to war we must also provide for their full benefits when they come home.

This is the call for true shared sacrifices. We were able to spend \$1.3 trillion in tax cuts; we should be able to spend for our veterans.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PEARCE). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

END PARTIAL BIRTH ABORTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. GARRETT) is recognized for 5 minutes.

Mr. GARRETT of New Jersey. Mr. Speaker, 2 days ago the President of the United States signed into law a historic piece of legislation, a bill that

would end partial birth abortion, a law that will now end this heinous and truly gruesome, barbaric act of killing innocent little boys and girls.

But as was all too expected, a lawsuit was immediately filed and a court immediately prevented this life-saving law from going into effect. Most appalling is the fact that the court did so not on any sound basis of law, but on what is becoming all too often the case with courts in this Nation, a decision by the court to simply impose its feelings on the issue over the findings of a legislative body, this United States Congress.

As has been reported in the press, the U.S. Department of Justice asked the court, as courts should do, to give deference to the finding of fact by Congress. Instead, the court replied to that request that it could find no record of any doctor who performs abortions in the last trimester to testify before Congress. The court stated: "Isn't that important if Congress was really interested in knowing about this procedure?" Indeed, if this court was truly being honest, it would realize that no abortionist would ever want to testify before Congress because in so doing, the awful truth about this heinous act would be revealed before the opponents of this act, before this House. It is telling that no abortionist of such late-term abortions would want to testify about such horrific acts that they do.

It is so patently clear that the court here was searching for a way to impose its personal view instead of abiding by the law of the land, a law which is supported by the vast majority of the people of this Nation, as well as most State governments. The court simply refused to abide by the findings of this Congress that a health exception was not necessary. The court stated: "While it is also true that Congress found that a health exception is not needed, at the very least it is problematic whether I should defer to such a conclusion when the Supreme Court has found otherwise." Problematic, court?

If the court was indeed wanting to uphold the law of the Nation and not its personal views, it would have recognized that the Supreme Court's holdings were not its own, but were the opinions of a lower court that the Supreme Court simply did not have sufficient legal basis to overrule.

Congress, however, very clearly and upon substantial hearings and evidence set out its findings of fact of no need for a health exception. This court, however, as past Supreme Courts have stated, should have abided by the findings of facts by this Congress. This court has failed to uphold the findings of this Congress. This court has failed to abide by the precedent of the Supreme Court in granting due deference to such findings of fact. And most tragic of all, this court's actions may well result in more deaths to innocent little children.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

LIGHT RAIL IN HOUSTON, TEXAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, many times I have come to the floor of the House to express what I believe should be the chief responsibility of the Federal Government, problem solvers, working with local communities to enhance the quality of life of all of our citizens throughout America.

So today I take the special privilege of saluting my local community in Houston, Texas. It has been a 30-year journey, 30 years of trials and tribulations, of misrepresentations of the facts, and yet we have overcome it.

□ 1300

But I do not fault those who opposed rail in totality because I do believe in democracy, and a vigorous debate has occurred in Houston, Texas on the question of implementing a light rail system. Those that hear my voice might say that that is probably not one of the more serious issues that we have in our community and in our Nation, but all of the long work of my community leaders, the Metro board, the City of Houston, deserve the tribute because in Houston it is a serious matter.

I do want to thank the mayor of the City of Houston, Lee P. Brown, and I am delighted to have been one of the strongest stalwarts and supporters of the Metro system over the last 30 years. One would not like to count those long journeys that we have had to take and the stark and strong opposition that we have had. And so I pay tribute to the members of the Metro board, former Ambassador Arthur Louis Schechter, the chairman; Mr. Thomas E. Whitson, vice chairman; Mr. Jackie Freeman, secretary; Mr. James E. Cumming; Dr. Samuel J. Gilbert, Sr.; Dr. Carol Lewis; Mr. Art Morales; Ms. Janie Reyes; and Mr. Don Wang. I also pay tribute to Metro's political action committee, Citizens for Public Transportation, led by Mr. Ed Wolfe; Community Outreach and Governmental Affairs Division led by Mr. Frank Russ and Mr. Tom Jasien; and most importantly the people of the Houston communities, all of the Houston communities and Harris County in the Metro service area who will benefit from this tremendous victory, all of my constituents in the 18th Congressional District who came together to cast a total of almost 400,000 votes and the majority of those supported the implementation of a Metro system.

What does it mean? It means that we will have a 50 percent increase in Metro's existing bus service. We will have

new light rail, new commuter service and we will have no new taxes. We realize that in order to enhance the quality of life for the physically challenged and others who are disabled, for veterans, we will need a real light rail system in Houston.

Let me share with you that the distance between the earth and the sun is about 93 million miles. Houstonians drive about 156 million miles a day through a weave of roadway that will further ensure the congestion and the entanglement on our freeways and highways and byways. Furthermore, the Texas Commission on Environmental Quality tells us that one-third of Houston's air pollution comes from our cars and trucks. Since light rail is powered by electricity, it produces no on-site emissions. Houston residents need and deserve nonpolluting transportation choices like light rail, and now the plans will come to fruition.

Over the years we will support a 72-mile system that will go into Sunnyside and Akers Home and into the Gulf Gate region, into East End, into areas near the small cities. And I want to thank my friends in Fort Bend and out in the Woodlands. We will be looking forward to a commuter rail that will take us to the airport, to the Fort Bend area, to Sugarland and certainly to the northwest area. We are looking for the support of our entire community, the county officials, city officials, and it is imperative that the next mayor of the City of Houston be a vigorous supporter of light rail. The citizens will tolerate nothing less, that that person be vigorous and that they will not be overcome by special interests that will tell them that we cannot move on the 39-mile system and then the 72-mile system. It is interesting to watch those who are physically challenged relish to have a system that is accessible to the disabled and then to our senior citizens who need to have, if you will, low-priced but good service, clean service, mobility systems that they can access. And our senior citizens who we are fighting for on this floor to give them a guaranteed Medicare prescription drug benefit need the complement of good rail systems and a good Social Security system. That is what we have planned for them in Houston with the vote of the Metro system.

Mr. Speaker, I include for the RECORD my op-ed in the Houston Chronicle on Derailing Metro Transit Plan Isn't an Alternative and here we support in totality the Metro plan that has passed and the 72 miles.

Hooray. Congratulations to our city for doing the smart thing and being smart on transit. You deserve congratulations today.

Mr. Speaker, I rise today to pay special tribute to a local victory—I pay tribute to the Houston Metropolitan Transit Authority (METRO) of Harris County, Houston Texas for having successfully won the vote of approval for its light rail project in a referendum held on November 4.

Because of the undaunted effort of (1) the Houston METRO Board of Directors which

consists of former Ambassador Arthur Louis Schechter—Chairman, Mr. Thomas E. Whitson—Vice Chairman, Mr. Jackie Freeman—Secretary, Mr. James E. Cumming, Dr. Samuel J. Gilbert, Sr., Dr. Carol Abel Lewis, Mr. Art Morales, Ms. Janie Palomo Reyes, and Mr. Don J. Wang; (2) METRO's Political Action Committee "Citizens for Public Transportation" led by its able Chairman Mr. Ed Wolfe; (3) METRO's Community Outreach and Governmental Affairs Division with Mr. Frank Russ and Mr. Tom Jasien; and (4) most importantly the people of the Houston communities who will benefit from this tremendous victory.

The victorious results of the November 4 referendum—of a total 366,226 votes cast from a pool of citizens of Harris County, Ft. Bend County, and Montgomery County, 189,443 (52%) voted for METRO Solutions and 176,783 voted against it—was the fruit of over two (2) years of hard work by the METRO Board, Staff, PAC, and the community all working together as a cohesive unit. Now, we may concentrate on the actual benefits that the METRO Solutions plan will achieve: 50% increase in METRO's existing bus service, including approximately 44 new local, signature express, and Park & Ride bus routes; Nine (9) new Transit Centers and nine (9) new Park & Ride lots, as well as expansion and upgrading existing facilities; Expansion of the METRO Rail line and commuter line components. The overall plan includes 72.8 miles of rail; Extension of the payments to local governments for street and other mobility improvements for five additional years (2010–2014); Initiating of the first 10 years of construction, which includes 22 miles of rail with no new taxes!

Road and freeway improvements, as well as the construction of an enhanced public transportation system, will now be put in place to alleviate problems such as congestion and pollution while generating significant tax dollars. Statistically, Houstonians travel more miles per day than there are miles between the Earth and the sun. The distance between the Earth and the sun is about 93 million miles. Houstonians drive about 156 million miles per day! Houston has one of the worst air quality problems in the nation. Furthermore, the Texas Commission on Environmental Quality tells us that one-third of Houston's air pollution comes from our cars and trucks. Since light rail is powered by electricity, it produces no on-site emissions. Houston residents need and deserve non-polluting transportation choices like light rail and now the plans will come to fruition.

This victory demonstrates that despite the force of an extremely well-financed opposition driven by special interests and partisan influence, the great effort and the will of the people overcame in the end. I would actually like to thank my friend on the other side of the aisle, Mr. DELAY for his efforts to aid in giving METRO the funds it needed to conduct the studies that concluded that the METRO Solutions plan is smart.

Congratulations to METRO and congratulations to the local government.

[From the Houston Chronicle, Oct. 23, 2003]

DERAILING METRO TRANSIT PLAN ISN'T
ALTERNATIVE

(By Sheila Jackson Lee)

Just over one century ago, in 1880, Houston, the powerhouse of Texas business, had a

population of only approximately 16,000 people, according to a federal census. Since then, the metropolis has seen unprecedented growth to become one of America's most populous cities. That's why we need a public transportation system that is funded by the public and will be used by the public.

The greater Houston area is subdivided into six counties: Chambers, Fort Bend, Harris, Liberty, Montgomery and Waller, Harris County proudly hosts the city of Houston, and that is where the largest part of the population is concentrated. In 2000, approximately 3.5 million people lived in Harris County alone. Over the next 20 years, the population of the Houston region will continue to grow. In fact, the influx of more than 2 million additional people in Harris County and another million in the surrounding counties is expected. With respect to transportation, Houston and Harris County already experience serious problems. The imminent increase in population will only exacerbate the problems and will have a negative impact on the overall quality of life in the region. All forms of infrastructure improvements must provide the solution.

Road and freeway improvements, as well as the construction of an enhanced public transportation system, will alleviate the problems while generating significant tax dollars. Statistically, Houstonians travel more miles per day than there are miles between the Earth and the Sun. The distance between the Earth and the Sun is about 93 million miles. Houstonians drive about 156 million miles per day!

The Metropolitan Transit Authority has worked over the past two years to create a long-range plan for mass transit in the Houston area called Metro Solutions. Texas has a Transportation Code, and it is authorized to act in this field of local government through Metro. Given the need for the service to be provided by Metro's plan and the state's jurisdiction to implement a plan that has been accepted by the public, why does the federal government and a member of the House Appropriations Committee need to interfere with its progress?

This member has worked to hinder this highly beneficial transportation project for quite some time. In fact, his amendment to the Transportation, Treasury, and Independent Agencies Appropriations Act for fiscal year 2004, also known as H.R. 2989 and incorporated as Section 163, aimed directly at this project with proposed restrictions that are both redundant and unnecessary. This member introduced Section 163 under the guise of ensuring that the citizens in the transit authority service area had an opportunity to voice their desires with respect to the light-rail proposal. He took these measures despite his knowledge that the Metro board has been diligently working with the community to establish development plans that do not violate Texas law and despite the fact that Chapter 451 of the Texas Transportation Code requires the referendum process that will take place on Nov. 4.

Furthermore, his actions likely precipitated the issuance of an opinion by the Federal Transit Administration's chief counsel as to the denial of funds for the Advanced Transit Plan largely due to the redundant prohibitions of Section 163. Although Metro has called for a referendum pursuant to Chapter 451 of the Texas Transportation Code, in addition to having held several public hearings on the matter, the FTA, by way of this opinion, had summarily deemed the process insufficient for purposes of the Section 163 prohibitions. Because neither H.R. 2989 nor Section 163 is law, the FTA opinion effectively disrupted and interfered with the local administration of a transportation project that has been fully accepted and supported by members of the community.

In addition to the fact that the basis for this opinion was premature, i.e., the fact that both Section 163 and H.R. 2989 are not law as yet, the Metro board held a meeting to change the language of its referendum ballot for Nov. 4 to further conform to these prohibitions that are not yet law. This ballot was then accepted by the Department of Transportation for compliance with federal regulations. Metro held 178 public and stakeholder meetings during its development of the Metro Solutions plan between December 2001 and July 2003.

The alternative plan backed by Metro Solutions opponents and formulated by the Houston-Galveston Area Council, the "100 Percent Solution" plan, is still in draft form and has not yet had specific public involvement for the additional 5,000 lane-miles on top of the already planned 5,600 lane-miles. In terms of economic benefits projected for Metro solutions, between \$130 million and \$200 million per year in regulatory costs will be saved to reduce pollution emissions.

The opponents of Metro solutions offer the 100 Percent plan as an alternative. However, it is not an alternative. First, unlike the Metro solutions plan, the 100 Percent plan is an unfinished study and not a plan at all. Secondly, Metro Solutions covers only a portion of the eight-county region, while the 100 Percent plan contemplates the incorporation of the Regional Transportation Plan, or RTP, which is a multimodal plan that covers the entire eight-county region. The RTP is not an alternative to Metro Solutions—it includes Metro Solutions. Also, unlike Metro Solutions, the 100 Percent plan is based on a wish list of regional road and transit projects that have no identified funding and would require significant amounts of right of way. The claim by Metro Solutions opponents that the 100 Percent solution plan can reduce congestion depends upon the sudden appearance of this wish list of projects that the federal government currently prohibits local officials from planning and programming, as they have no existing revenue streams to fund such projects.

In conclusion, there is no need to impede or to derail the Metro Solutions plan. Houston is the only city in the United States that was affected by funding restrictions of H.R. 2989. As a result, the city has been singled out and excluded from the 25 slices of a funding pie worth \$1.2 billion federal dollars. Dallas is slated to receive \$30 million under the act. The referendum vote on Nov. 4 will translate to more needed rail, more buses and more roads with no new taxes. Metro Solutions is a public transportation plan that will serve the public—therefore, the will of the community should supersede any federal special interests. I strongly urge a yes vote on the Metro referendum.

The SPEAKER pro tempore (Mr. PEARCE). Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

(Mr. PENCE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California address the House. His remarks will appear hereafter in the Extensions of Remarks.)

CHILD SAFETY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, before I begin, I want to take a moment to thank the chairman of the Subcommittee on Human Resources of the Committee on Ways and Means, the gentleman from California (Mr. HERGER), for calling a hearing yesterday to examine the failure of our system to protect our children. It was a very, very difficult hearing for those of us who attended to listen to the traumatic and heartbreaking story of four young men in a family, the Jackson family of New Jersey.

As someone who has worked on child protection for my career in the Congress and in the State legislature and as cochairman of the Congressional Missing and Exploited Children's Caucus, I was shocked to hear and to see the photos of these four young men who were suffering at the hands of their adoptive parents. What struck me even more, or at least made me more outrageous, was the fact that the Division of Youth and Family Services from New Jersey had visited the home of this family over 38 times in the past several years.

What did they fail to observe in these visits? For one, they failed to observe a 19-year-old boy who weighed just 45 pounds and was a mere 4 feet tall; a 14-year-old boy who was 3 feet in height and, I believe, less than 40 pounds. Where were they protecting these children?

The fact is, Mr. Speaker, most Americans treat their pets better than New Jersey cared for their children. We heard arguments, which we always do when there is a child tragedy, that, A, we lack resources and funding, we have too many caseloads. Those excuses and finger-pointing and blame-gaming must stop, because they are outrageous accusations suggesting money was at the root of the children's problems. The family received over \$30,000 annually in a subsidy to care for these children from the Federal and State government. \$30,000. There is no excuse that money, or shortage of money, was the reason these children were starved. Thirty-eight visits by a caseworker to this house indicates obviously that they had a routine appearance in the household.

What did they fail to observe? One thing they failed to observe is that there were locks on the doors to the kitchen, not allowing the children to come into this home, into their own kitchen to eat. When you look at the photos, and you have probably seen

these photos if you have picked up any paper in this country because they have been blasted across the headlines of every newspaper in America, including both TV and print journalists.

We have to in this country get a handle on this problem because this is sickening to its core that children that would be in the hands of people would be allowed to be treated so miserably. And regrettably at yesterday's hearing a person, a man of the cloth from the church where the Jackson family attends, actually got up and defended the parents and started to blame the children, suggesting they had eating disorders, that they were violent children. We are talking about 19, 17 and younger than that. I would have accepted some of that argument from this reverend had the family sought medical attention or had the family chosen to return the children to foster care because they were too difficult to care for. But no, they did not do any of that. What they did was cash checks from the welfare system and then fail to feed the children.

Testimony from children's services indicate all of these boys have now had remarkable weight gain in the last several weeks. So the argument put forward by the reverend that these children were eating three square meals a day and they suffered from eating disorders is absolutely false and spurious when you look at the results of the care and feeding under Division of Youth Services of that State.

At the end of the day, and fortunately for the gentleman from California's leadership in calling this hearing, we may get to the bottom of some of these problems, but we must act quickly. We are not talking about overdue library books, we are talking about human life. We are talking about children who are allowed to starve, we are talking about a system that is run amuck, and we are talking about only getting a response when some politician's job is on the line.

It is time to get serious. It is time to get to the job of protecting our children. I only hope that there is never again an example like the Jackson family suffering at the hands of a State agency.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

(Mr. BLUMENAUER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes as the designee of the majority leader.

Mr. BARTLETT of Maryland. Mr. Speaker, on October 14, the Supreme

Court agreed to hear a dispute over the phrase "one Nation under God" in the Pledge of Allegiance. Make no mistake, this lawsuit is another attempt by atheists to exterminate America's religious heritage. Michael Newdow is an atheist who wants the government to adopt his religious views. He argues that his daughter was, in legal terms, injured by having to be exposed to the recitation of the Pledge of Allegiance in school. The underlying idea behind Mr. Newdow's efforts was expressed perfectly by the ancient Greek philosopher Protagoras. He said, "Man is the measure of all things." What this statement means is that human beings, not a God or an unchanging moral law, is the ultimate source of value.

The Declaration of Independence tells us differently. The Declaration tells us exactly what the ultimate source of our laws and liberties are and where they came from. It reads that all men are created equal, endowed by their Creator with certain unalienable rights. Among these are life, liberty and the pursuit of happiness.

There is a central question in this controversy, whether or not public officials in the government itself can acknowledge a higher power than themselves. Can the government acknowledge God or must we agree that man is the measure of all things?

The background on this case is interesting. The child involved in the present suit is not required to recite the Pledge. Mr. Newdow argues that his daughter should not even have to listen to the Pledge. In the factual and procedural background section of *Newdow v. U.S. Congress*, Mr. Newdow argues his daughter is injured when she is compelled to watch and listen as her State-employed teacher in her State-run school leads her classmates in a ritual proclaiming that there is a God and that ours is one Nation under that God. If Mr. Newdow's daughter is injured by listening to the pledge with the words "under God" in it, what about the other students? In the dissenting opinion of *Newdow v. U.S.*, Circuit Judge Fernandez makes the point well.

He says:

I recognize that some people may not feel good about hearing the phrases recited in their presence, but then others might not feel good if they are omitted.

This application of logic to Newdow's argument proves that we need something more to shed light on the constitutionality of the phrase "under God." We must also look to the history of the phrase itself. By doing so, we can shed light on the legitimacy of recognizing God in our government and in our laws.

To shed light on this controversy, it would be helpful to look at the history of the phrase "under God" and the words of the people who helped write our Constitution.

The Pledge of Allegiance was written in 1892 by Francis Bellamy, a Massa-

chusetts educator. Bellamy was planning celebrations to mark Columbus Day and the 400th anniversary of the discovery of America. The Pledge emphasized the permanence of union and the liberty of the people. The Pledge was written only 27 years after the Civil War. The 1892 version of the Pledge read, "I pledge allegiance to my Flag and to the Republic for which it stands, one nation indivisible with liberty and justice for all."

Because of large numbers of immigrants, some thought the reference to "my Flag" might encourage immigrants to retain loyalty to their former country's flag. And so in 1924, the National Flag Conference approved a change in the Pledge. It now in 1924 read, "I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation indivisible with liberty and justice for all."

In 1942, Congress codified the pledge into law when it was added to the U.S. Flag Code. This version did not include the words "under God." Again it read, "I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation indivisible with liberty and justice for all."

In 1954, Congress inserted the words "under God" into the Pledge of Allegiance. In 1943, Jehovah's Witnesses filed suit and challenged the mandatory recitation of the Pledge.

□ 1315

The Court ruled that governments should not force students to recite the pledge against their will or contrary to their beliefs. Judge Fernandez again from the dissenting opinion in *Newdow v. Congress*. In *West Virginia Board of Education versus Barnett*, for example, the Supreme Court did not say that the pledge could not be recited in the presence of Jehovah Witness children. It merely said that they did not have to recite it. That fully protected their constitutional rights by precluding the government from trenching upon the sphere of intellect and spirit. In the law they concluded the Pledge of Allegiance simply stated that standing was a sign of respect for the Nation and its laws. Public Law 396 states: "However, civilians will always show full respect to the flag when the Pledge is given by merely standing at attention."

In conclusion, students are not forced to say the Pledge of Allegiance. Reciting the Pledge in the presence of students who object to it does not violate the Constitution. Congress's addition of "under God" was only reference to God during that time. In 1955 by unanimous vote, Congress required the U.S. Mint to place the words "In God We Trust" on all of our currency. And over the Speaker's desk on that marble wall are the words "In God We Trust." In 1956 Congress adopts "In God We Trust" as the national motto. Were these enactments by Congress isolated? Not at all. The Nation has long pub-

licly declared its dependence on divine providence.

There are references to our dependence on God in earlier American history. Lincoln's consecration of the Gettysburg speech, in which he said: "It is for us the living rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion, that we here highly resolve that these dead shall not have died in vain, that this Nation under God shall have a new birth of freedom, and that government of the people, by the people, and for the people shall not perish from the earth."

What did Lincoln mean by saying "this Nation under God"? That the United States is under the protection of God? That we are also under God's judgment, that we must conduct ourselves according to his standards of justice? Lincoln said in his second inaugural address: "... and that He gives to both North and South this terrible war, as the woe due to those for whom the offense" of slavery "came."

Lincoln, by declaring our Nation "under God," seems to be echoing a man even closer to the writing of the Constitution and Declaration of Independence, Thomas Jefferson: "And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are a gift of God? That they are not to be violated but with His wrath? Indeed I tremble for my country when I reflect that God is just, and His justice cannot sleep forever . . ." Thomas Jefferson's wisdom reinforces Mr. Lincoln's assertion stated earlier that the Civil War was divine judgment for slavery. In that sense America is a Nation under God.

Why was America being judged by God during the Civil War? Because slavery was a violation of the principle of equality proclaimed in the Declaration of Independence. Even though slavery was allowed in the Constitution, it was still a violation of another of Jefferson's principles. In his first inaugural address, Jefferson said: "All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable." Was slavery reasonable? No, Jefferson said. "All eyes are opening to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God."

Lincoln and Jefferson reinforced each other's arguments, that the United States is a Nation under God's judgment and protection, that our rights

come from God and that no violation of our God-given rights can be tolerated.

Can we go back further to see if God is mentioned in any other documents around the founding era? Yes. The Declaration of Independence. We teach the Declaration of Independence in our schools to advance freedom. John Adams said: "Children should be educated and instructed to the principles of freedom." The Declaration also teaches us about Americans' beliefs about God. The Declaration teaches us four things about God: one, He is the author of the laws of nature and nature's God; two, he has endowed us with inalienable rights; three, He is the supreme judge of the world; and, four, he provides the protection of divine providence.

What happens when the Declaration of Independence is taught in public schools? Are they violating the separation of church and State? How preposterous. Do schools that teach the Declaration and its description of God violate the Constitution? The absurdity of the argument of atheists like Mr. Newdow is readily apparent. There are several implications in Mr. Newdow's argument, Mr. Speaker. If the Court rules the Pledge of Allegiance with the words "under God" unconstitutional next summer, what will be next? "God bless America"? Mr. Speaker, what would happen if Congress required the recitation of the preamble to the Declaration every morning instead of the Pledge? The conclusion of the argument atheists make must be the Declaration of Independence violates the Constitution.

We have examined the writings of Thomas Jefferson and Abraham Lincoln. We have examined the Declaration of Independence and the Constitution. We have looked at the history of the phrase "under God." It is obvious that our government has long declared a dependence on God. Acknowledging God as a source of our inalienable rights is what makes our rights secure. Our history, our Declaration, our Constitution teach us several lessons: that God is the source of our rights, that our Nation is under God's judgment and we must act accordingly.

Mr. Speaker, I am an elected official in the Federal legislature. I have mentioned God many times in this speech in the House of Representatives. I hope the Supreme Court will not rule I have violated the Constitution.

Mr. Speaker, the words of the Constitution are very clear, but what is not clear is what our Founding Fathers meant by those words, and that is why the discussion today of whether the words "under God" are appropriate in our Pledge of Allegiance to the flag.

What I would like to do is go back to our Founding Fathers to see what they might advise us could they be resurrected and meet with us today. If we put in the context of the time the Declaration of Independence and the Constitution, we may be better able to understand what they meant by their

words. No one disagrees on what the words are, but there is a big disagreement on what the words mean.

Patrick Henry is called the firebrand of the American Revolution, and every student in school knows what he said: "I know not what course others may take, but as for me, give me liberty or give me death." But I will wager, Mr. Speaker, that if any of the listeners go to the textbooks in their school, they will find no reference to the context in which this statement was made. It was made in a church, St. Johns Church in Richmond on March 23, 1775, and here is more of that statement. He says: "An appeal to arms and the God of Hosts is all that is left us, but we shall not fight our battle alone, there is a just God that presides over the destinies of nations. That battle, sir, is not to the strong alone. Is life so dear or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God. I know not what course others may take, but as for me, give me liberty or give me death."

Do my colleagues think Patrick Henry would tell us that it is not okay to have the phrase "under God" in the Pledge of Allegiance to the flag? Was Patrick Henry a Christian? The following year, in 1776, he wrote this: "It cannot be emphasized too strongly or too often that this great Nation was founded not by religionists but by Christians, not on religions but on the gospel of Jesus Christ. For that reason alone, people of other faiths have been afforded freedom of worship here." Do my colleagues think he would tell us that it is not okay to have "under God" in the Pledge of Allegiance?

Benjamin Franklin, who is frequently referred to by modern-day educators as a deist, that is, a person who believed that there was a God but don't bother praying to Him because He created us and set in place certain physical laws and our destiny is going to be determined by how we relate ourselves to those laws, let me read what Benjamin Franklin said, and then the Members conclude as to whether they think he was an atheist or not. These words were uttered in 1887 when he arose in the Continental Congress in Philadelphia. They were deadlocked, and it was not certain we would have a Constitution. He was, I think, 82 years old, the Governor of Pennsylvania, I think the oldest and probably the most respected member of that convention, and this is what he said: "In the days of our contest with Great Britain when we were sensible of danger, we had daily prayer in this room for divine protection. Our prayers, sir, were heard and they were graciously answered. All of us who were engaged in the struggle must have observed frequent instances of superintending providence in our favor. To that kind providence, we owe this happy opportunity to establish our Nation. And have we now forgotten that powerful friend? Do we imagine that we no longer need His assistance?" And then these words that I

think are so powerful: "I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth, that God governs in the affairs of men. If a sparrow cannot fall to the ground without His notice, is it probable that a new Nation can rise without His aid?" And then he went on to say that he begged leave to move that henceforth they would begin each of their meetings with prayer. We still do that, Mr. Speaker. We began our session today with prayer.

Do my colleagues think Benjamin Franklin was a deist, and more importantly, do my colleagues think that he would say that it is not okay, that it is not appropriate to have "under God" in the Pledge of Allegiance to the flag?

Thomas Jefferson, the major architect of the Declaration of Independence and the Constitution, also referred to frequently as a deist, and this is what he said: "I am a real Christian. That is to say, a disciple of the doctrines of Jesus. I have little doubt that our whole country will soon be rallied to the unity of our Creator, and I hope to the pure doctrine of Jesus also." Do my colleagues think that Thomas Jefferson, with those convictions, would say that it is not okay to have "under God" in the Pledge of Allegiance to the flag?

George Washington, our first President: "It is impossible to govern the world without God and the Bible. Of all of the dispositions and habits that lead to political prosperity, our religion and morality are the indispensable supporters. Let us with caution indulge this supposition, that is, the notion or idea, that morality can be maintained without religion. Reason and experience both forbid us to expect that our national morality can prevail in exclusion of religious principle."

In his prayer book, he wrote: "O eternal and everlasting God, direct my thoughts, words and work, wash away my sins in the immaculate blood of the lamb, and purge my heart by Thy Holy Spirit. Daily frame me more and more in the likeness of Thy son, Jesus Christ, that living in Thy fear and dying in Thy favor, I may in Thy appointed time obtain the resurrection of the justified unto eternal life. Bless, O Lord, the whole race of mankind and let the world be filled with the knowledge of Thee and Thy son, Jesus Christ." What counsel do my colleagues think George Washington would give us? Would he tell us that it is not okay, that it is not appropriate to have "under God" in the Pledge of Allegiance to the flag?

John Adams, our second President, also President of the American Bible Society: "We have no government armed with the power capable of contending with human passions unbridled by morality and true religion. Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other." Could John Adams possibly have believed that we could not think

that "under God" is appropriate in the Pledge of Allegiance to our flag?

John Jay, our first Supreme Court Justice said: "Providence has given to our people the choice of their rulers, and it is the duty as well as the privilege and interest of our Christian Nation to select and prefer Christians for their rulers." Could John Jay, the first Supreme Court Justice, have imagined that we would think it inappropriate to have "under God" in our Pledge of Allegiance to the flag?

John Quincy Adams, President of the American Bible Society, and he said that his Presidency there he valued more than his Presidency of this country:

□ 1330

"The highest glory of the American Revolution was this. It connected in one indissoluble bond the principles of civil government with the principles of Christianity. From the day of the Declaration," that is, the Declaration of Independence, "they," the fathers, "were bound by the laws of God, which they all acknowledged as their rules of conduct."

What would John Quincy Adams advise us about the appropriateness of the words "under God" in the Pledge of Allegiance to the flag?

And later on in history, Calvin Coolidge, "America seeks no empire built on blood and forces. She cherishes no purpose, save to merit the favor of almighty God."

He later wrote, "The foundations of our society and our government rests so much on the teachings of the Bible that it would be difficult to support them if faith in these doctrines would cease to be practically universal in our country."

Would President Coolidge have believed it inappropriate to have "under God" in our Pledge of Allegiance to the flag?

Let us turn now to our early Supreme Court. For 160 years, every Supreme Court decision in this arena was diametrically opposed to Supreme Court decisions from 1947 on.

In 1947, the Supreme Court did a radical about-face, repudiating the precedents of 160 years. They completely reversed their opinions.

The Supreme Court in 1811, *People v. Ruggles*, *Ruggles* had publicly slandered the Bible. This is what the Supreme Court said. "You have attacked the Bible, and in attacking the Bible you attacked Jesus Christ. In attacking Jesus Christ, you have attacked the roots of our nation. Whatever strikes at the roots of Christianity manifests in the dissolving of our civil government."

By the way, I would like to note that it might be appropriate in today's environment to use the words Judeo-Christian. Those words were apparently not used by our Founding Fathers, but I am sure recognizing the origin of all of these beliefs from the Bible, which is clearly Judeo-Christian, that Judeo-

Christian might be a better way. But I am reading the actual words of our Founding Fathers. Please read Judeo-Christian when they say Christian.

"Why not use the Bible, especially the New Testament? It should be read and taught as the divine revelation in the schools."

This was the comment of the Supreme Court relative to a case relative to a case, *Veta v. Gerrand*, where a woman teacher, a lady teacher, was not using the Bible to teach morality. I have no idea how this got to be a court case and got to the Supreme Court. But this is what they said in 1845. "Why not use the Bible, especially the New Testament. It should be read and taught as the divine revelation in our schools. Where can the purest principles of morality be learned so clearly and so perfectly as from the New Testament?"

Could this Supreme Court possibly have imagined that our court would be considering whether or not "under God" is appropriate in the Pledge of Allegiance to the flag?

In 1892, the Supreme Court said, and this was the Church of the Holy Spirit and they contended that Christianity was not the faith of the people. This is what the Supreme Court said. "Our laws and our institutions must necessarily be based upon and embody the teachings of the Redeemer of Mankind. It is impossible that they should be otherwise, and in this sense and to this extent our civilization and institutions are emphatically Christian. No purpose of action against our religion can be imputed to any legislation, state or national, because this is a religious people. This is historically true. From the discovery of this continent to this present hour, there is a single voice making this affirmation."

Then the justices went on to cite 87 different legal precedents to affirm that America was formed as a Christian nation by believing Christians.

Mr. Speaker, as I have already noted, the Supreme Court in 1947, packed by Franklin Delano Roosevelt from seven to nine, completely repudiated 160 years of precedents when they declared there was a wall of separation between church and state. Those words do not appear in our Constitution, do not appear in the Declaration of Independence, and what we are trying to do today, Mr. Speaker, is to determine what our Founding Fathers meant by that magnificent establishment clause in the First Amendment.

Let us move now to the Congress and see what the Congress of our forefathers might have advised us. March 27, 1854, the Senate Committee on the Judiciary issued a final report on a year study. Humanism and Darwinism was sweeping our country, and the Supreme Court commissioned a year study, and this is what was said in their final report.

"The First Amendment clause speaks against an establishment of religion. The Founding Fathers intended by this amendment to prohibit an establish-

ment of religion such as the Church of England presented or anything like it, but they had no fear or jealousy of religion itself, nor did they wish to see us as an irreligious Nation."

Then, I really love these words. Obviously they were not watching much television when they used this vocabulary. "They did not intend to spread over all the public authorities and the whole public action of the Nation the dead and revolting spectacle of atheistic apathy. Had the people during the Revolution had a suspicion of any attempt to war against Christianity, that revolution would have been strangled in its cradle. At the time of the adoption of the Constitution and the Amendments, the universal sentiment was that Christianity should be encouraged, not just one sect. The object was not to substitute Judaism or Islam or infidelity, but to prevent rivalry among the Christian denominations to the exclusion of others. Christianity must be considered as the foundation on which the whole structure rests. Laws will not have permanence or power without the sanction of religious sentiment, without the firm belief that there is power above us that will reward our virtues and punish our vices."

Would that Congress have indicated that the words "under God" are inappropriate?

"In this age, there can be no substitute of Christianity. By its great principles, the Christian faith is the great conserving element on which we must rely for the purity and permanence of our free institutions."

This is, again, from the Congress.

"That was the religion of our Founding Fathers, of the Republic, and they expect it to remain the religion of their descendants."

Let us look now at what was taught in our schools. By the way, before we leave the Congress, in 1854 there was a resolution, we pass many resolutions in our Congress, they passed a resolution. This is what it said. "The Congress of the United States recommends and approves the Holy Bible for use in our schools."

Would that Congress have indicated it is inappropriate to have "under God" in our Pledge of Allegiance to the flag?

Let us look at our schools, because that reflects the milieu in which our Declaration of Independence and our Constitution was written. For over 200 years, the New England Primer was used, and this is the way it taught the alphabet.

A, a wise son makes a glad father, but a foolish son is heaviness to his mother.

B, better is little with the fear of the Lord than abundance apart from him.

C, come unto Christ all you who are weary and heavily laden.

D, do not the abominable thing, which I hate, sayeth the Lord.

E, except a man be born again, he cannot see the Kingdom of God.

And so it went through all the 26 letters of the alphabet.

Do you think that the society at that time, with that kind of a primer in their schools, would have imagined that we could be debating today whether it was okay to say "under God" in our Pledge of Allegiance to the flag?

The McGuffey Reader, used for over 100 years, it was so successful in getting children to read that a few years ago it was brought back to some of our school districts where children were not learning to read with the hope that there was something magic about the McGuffey Reader.

"The Christian religion is the religion of our country. From it are derived our notions on the character of God, on the great moral governor of the universe. On its doctrines are founded the peculiarities of our free institutions. From no source," and this is all from the author of the McGuffey Reader, "from no source has the author drawn more conspicuously than from the sacred scriptures. For all these extracts from the Bible, I make no apologies."

Do you think that all of those thousands of school children and their families who used the McGuffey Reader could have imagined that we would be debating this subject today?

Of our first 108 schools in this country, 106 were distinctly religious. Harvard University, the first university, named after a beloved New England pastor, John Harvard, this is what they said. "Let every student be plainly instructed and expressly and earnestly pressed to consider well the main end of his life and studies is to know God and Jesus Christ, which is eternal life. John 17:3, and, therefore, to lay Jesus Christ as the only foundation of all sound knowledge and learning."

This was in the student handbook for Harvard University. For over 100 years, more than 50 percent of all Harvard's graduates were pastors.

What have we reaped in our Nation in our departure from recognizing that God is a part of our heritage and it is perfectly appropriate to say "under God" in our Pledge of Allegiance to the flag?

America 100 years ago had the highest literacy rate of any nation on Earth. Today we spend more on education than any nation in the world, and yet since 1987 we have graduated more than 1 million high school students who could not even read their diploma.

We spend more money than any nation in the industrialized world to educate our children, and yet SAT scores fell for 24 straight years before finally leveling off at the bottom in the nineties, and they are not yet coming back up.

In a 1960 survey, 53 percent of America's teenagers had never kissed, and 57 percent said they never necked, that is, to hug and kiss. Ninety-two percent of teenagers in America said they were virgins in 1960. Just 30 years later, 75 percent of American high school students are sexually active by age 18.

In the next 5 years, we spent \$4 billion to educate them on how to be immoral through trumpeting the solution of safe sex, and it worked. One in five teenagers in America today lose their virginity before their 13th birthday, and 19 percent of America's teenagers say they have had more than four sexual partners before graduation.

The result, every day, 2,700 students get pregnant, 1,100 get abortions, 1,200 give birth. Every day another 900 contract a sexually-transmitted disease, many incurable. AIDS infection among high school students climbed 700 percent between 1990 and 1995. We have 3.3 million problem drinkers on our high school campuses, over half a million alcoholics, and on any given weekend in America, 30 percent of the school population spends some time under the influence of alcohol.

Do we really want to take "under God" out of our Pledge of Allegiance to the flag? Should we not be doing something, Mr. Speaker, to reverse these trends in our country, rather to encourage them?

I would like to read now a prayer that was written by an Oklahoma high school student, a little poem written about prayer. "Our New School Prayer."

"Now I sit me down in school
Where praying is against the rule.
For this great Nation under God,
Finds mention of him very odd.

If scripture now the class recites
It violates the Bill of Rights.
And any time my head I bow
Becomes a Federal matter now.

Our hair can be purple, orange, or green,
That's no offense; it's a freedom scene.
The law is specific, the law is precise,
Only prayers spoken out loud are a serious vice.

For praying in a public hall
May offend someone with no faith at all.
In silence alone we must meditate,
God's name is prohibited by the state.

We are allowed to cuss and dress like freaks,
And pierce our noses, tongues and cheeks.
They have outlawed guns, but FIRST the Bible,

To quote the Good Book makes me liable.

We can elect a pregnant Senior Queen,
And the unwed daddy our Senior king.
It is inappropriate to teach right from wrong,

We are taught that such "judgments" do not belong.

We can get our condoms and birth controls,
Study witchcraft, vampires and totem poles.
But the Ten Commandments are not allowed,
No word of God must reach this crowd.

It is scary here I must confess,
When chaos reigns the school's a mess.
So Lord, this silent plea I make,
Should I be shot, my soul please take."

Our Nation, which used to lead the world in every arena, now leads the world in these areas. We are number one in violent crime, we are number one in divorce, we are number one in teenage pregnancies, we are number one in volunteer abortions, we are number one in illegal drug abuse, and we are number one in the industrialized world for illiteracy.

Do you think, Mr. Speaker, that taking the phrase "under God" out of the

Pledge of Allegiance to the flag is going to lead us in the right direction, or the wrong direction?

Alexis de Tocqueville, and this is really a significant observation, traveled this country, a young Frenchman, for 5 years, and he wrote, "I sought for the key to the greatness and genius of America in her great harbors, her fertile fields and boundless forests, in her rich mines and vast world commerce, in the universal public school system and institutions of learning. I sought for it in her democratic Congress and in her matchless Constitution."

Mr. Speaker, had he visited us today when we represent only one person in 22 in the world, and yet we represent 25 percent of all of the goods and services in the world, one person in 22, somehow we have 25 percent of all the good things in the world, might he have wondered further about how we got there and what was significant?

"But not until I went into the churches of America," he said, "and heard her pulpits flame with righteousness, did I understand the secret of her genius and power." Alexis de Tocqueville, after watching us for 5 years, concluded that the secret of our greatness and power did not lie in any of these great harbors or grain fields or military, not in our matchless Constitution, our Declaration of Independence, but he said, "but not until I went into the churches of America and heard her pulpits flame with righteousness did I understand the secret of her genius and power."

□ 1345

America is great because America is good; and if America ever ceases to be good, America will cease to be great.

Do you think, Mr. Speaker, that taking the words "under God" out of our Pledge of Allegiance to the Flag will make us a better people?

I would like to quote Abraham Lincoln again: "We have been the recipients of the choicest bounties of heaven. We have been preserved these many years in peace and prosperity. We have grown in numbers, wealth, and power as no other Nation has ever grown."

Mr. Lincoln, after 227 years in this great, longest-enduring Republic in the history of the world, these words are even more significant, because relatively today we are a greater Nation among the nations of the world than we were at your time. Thank you, Mr. Lincoln, for your words.

"But we have forgotten God," he says. "We have forgotten the gracious hand which preserved us in peace and multiplied and enriched us, and we have vainly imagined in the deceitfulness of our hearts that all of these blessings were produced by some superior wisdom and virtue of our own. Intoxicated with unbroken success, we have become too self-sufficient to feel the necessity of redeeming or preserving grace, too proud to pray to the God that made us. It behooves us then to humble ourselves before the offended power to confess our national

sins and to pray for clemency and forgiveness."

Do you think, Mr. Speaker, that Abraham Lincoln would understand why we are even debating in our Supreme Court the appropriateness of the words "under God" in our Pledge of Allegiance to the Flag?

I know that I quoted the words earlier, but I think that we need to hear them again. Abraham Lincoln said: "It is rather for us to be here dedicated to the great task remaining before us than from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion, that we here, highly resolved that these dead shall not have died in vain; that this Nation, under God, shall have a new birth of freedom."

Mr. Speaker, I think that we face this discussion today because we would have forgotten from whence we came. Indeed, Mr. Speaker, I do not think that the newest generation has forgotten; I do not think they ever knew, because our textbooks have been bled dry of all of the references to our Christian heritage.

Mr. Speaker, I firmly believe that if the decision of this Supreme Court is grounded in the milieu in which our Declaration of Independence was written and our Constitution was written, they can reach no other conclusion but that the words "under God" in our Pledge of Allegiance to the Flag are completely appropriate, were completely anticipated by those who framed our Constitution, by the Roman Catholic who could not vote in Old Virginia or could not vote in Maryland, Charles Carroll, for whom Carroll County in Maryland is named and Carroll Creek that runs through Frederick City, Charles Keller a major architect of that establishment clause.

They did not mean, Mr. Speaker, that religion was unimportant in our country. What they wanted to accomplish is very clear in the words that they stated: "Make no law concerning the establishment of religion." They did not want the Congress to empower one religion over another so that it could oppress the other religions. Because, Mr. Speaker, our Founding Fathers had come here from countries in the British Isles and in Europe, almost all of which were ruled by a king or an emperor who claimed, and was granted, divine rights. So they came here in our Declaration of Independence saying that all men are created equal.

We read those words, Mr. Speaker, but we do not realize how important they were in that day and time, that all men are created equal. "No emperor or no king created above the others and endowed by their creator." And four times in the Declaration of Independence God is referred to, endowed by their creator with certain unalienable rights. Our Founding Fathers came here to escape two tyrannies, Mr. Speaker. One was the tyranny of the Church and the other was

the tyranny of the Crown. On the continent, the Church was generally the Roman Church. In the British Isles, it was the Episcopal Church, and those countries empowered those Churches so they could if they wished oppress others, and they did.

When our Founding Fathers came here because of their resentment of that oppression in Old Virginia and in colonial Maryland, Roman Catholics could not vote. But when it came time to write the amendments to our Constitution, they recognized how important it was that we provide religious freedom to everybody, so they chose a Roman Catholic to be a major architect of that. It is no coincidence, I think, Mr. Speaker, that in the very first of these amendments, they addressed their concern that all people should be free to worship as they please, that they should empower no religion over another religion. They could not have imagined that we would interpret these words as requiring freedom from religion. They clearly meant them to assure freedom of religion.

I fervently hope, Mr. Speaker, that the Supreme Court reviews in their private meditations the origins of our country, the milieu in which the Declaration of Independence and the Constitution were written, so that they can reach what I think is the only acceptable conclusion, and that is that our Founding Fathers clearly anticipated that a phrase like this would be very appropriate to our heritage and would be very helpful to our people.

Mr. Speaker, it is my prayer that we will not need to come to this Chamber again to talk about this kind of a subject, that the Supreme Court will make a decision that will set to rest the concern about the role of God in our country. No one religion should be empowered so it can oppress the others. But beyond that, all people are free to worship as they please, and religion is not an inappropriate subject in the public domain.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HINCHEY (at the request of Ms. PELOSI) for today on account of personal reasons.

Ms. HOOLEY of Oregon (at the request of Ms. PELOSI) for today after noon on account of personal reasons.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today on account of business in the district.

Mr. ORTIZ (at the request of Ms. PELOSI) for November 6 after 4:00 p.m. and today on account of official business.

Mr. WU (at the request of Ms. PELOSI) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legis-

lative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

(The following Members (at the request of Mr. FOLEY) to revise and extend their remarks and include extraneous material:)

Mr. MORAN of Kansas, for 5 minutes, November 12.

Mr. PENCE, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Mr. FOLEY, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1066. An act to correct a technical error from Unit T-07 of the John H. Chafee Coastal Barrier Resources System; to the Committee on Resources.

S. 1643. An act to exempt certain coastal barrier property from financial assistance and flood insurance limitations under the Coastal Barriers Resources Act and the National Flood Insurance Act of 1968; to the Committee on Resources and in addition to the Committee on Financial Services for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 1663. An act to replace certain Coastal Barrier Resources System maps; to the Committee on Resources.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 76. Joint resolution making further continuing appropriations for the fiscal year 2004, and for other purposes.

ADJOURNMENT

Mr. BARTLETT of Maryland. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until Monday, November 10, 2003, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5167. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Hingham Fourth of July Fireworks — Hingham, Massachusetts [CGD1-03-014] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5168. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Lynn Fourth of July Fireworks — Lynn, Massachusetts. [CGD1-03-018] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5169. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Middletown July 4th Celebration Fireworks Display, Middletown, CT [CGD1-03-067] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5170. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Westport Police Athletics League Fireworks Display, Westport, CT [CGD1-03-072] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5171. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Norwalk Firework Display, Norwalk, CT [CGD1-03-073] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5172. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety/Security Zone: Georgetown Channel, Potomac River, Washington, D.C. [CGD-05-03-094] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5173. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Riverfest 2003, Hartford, CT [CGD1-03-074] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5174. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Hampton Roads, Craney Island Flats, Norfolk Harbor Reach, VA [CGD05-03-096] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5175. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Town of Stratford. Fireworks Display, Stratford, CT [CGD1-03-075] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5176. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Atlantic Ocean, Atlantic City, New Jersey [CGD05-03-097] (RIN: 1625-AA08) received November 5, 2003,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5177. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Hampton Roads, Elizabeth River, Chesapeake, Virginia Beach, Albemarle Chesapeake Canal, Intracoastal Waterway, Virginia [CGD05-03-100] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5178. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Town of Norwich Fireworks, Norwich, CT [CGD1-03-076] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5179. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Pamlico River, Washington, NC [CGD05-03-104] (RIN: 1625-AA08) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5180. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Coast Guard Activities New York [CGD1-03-078] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5181. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Chesapeake Bay, Hampton Roads, Virginia [CGD05-03-106] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5182. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Sunset Lake, Wildwood Crest, NJ [CGD05-03-109] (RIN: 1625-AA08) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5183. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Town of Branford Annual Fireworks Display, Branford, CT [CGD1-03-079] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5184. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Atlantic Ocean, Isle of Wight Bay, Ocean City, Maryland [CGD05-03-114] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5185. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Chesapeake Bay, Hampton, Virginia [CGD05-03-115] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5186. A letter from the Chief, Regulations and Administrative Law, USCG, Department

of Homeland Security, transmitting the Department's final rule — Safety Zone; Old Black Point Beach Fireworks, Niantic, CT [CGD1-03-084] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5187. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Hampton Roads, Elizabeth River, Chesapeake, Virginia Beach, Albemarle Chesapeake Canal, Intracoastal Waterway, Virginia [CGD05-03-120] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5188. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Weekly Dockside Restaurant Fireworks Display, Port Jefferson, NY [CGD1-03-085] (RIN: 1625-AA11) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5189. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety/Security zone; Cruise Ship GALAXY, Patapsco River and tributaries, Maryland [CGD05-03-123] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5190. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Chesapeake Bay, Hampton Roads, Virginia [CGD05-03-127] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5191. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Martins Creek, Tullytown, PA [CGD05-03-128] (RIN: 1625-AA08) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5192. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Chesapeake Bay, Hampton, Virginia [CGD05-03-134] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5193. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Salem Heritage Days fireworks, Salem, Massachusetts [CGD1-03-089] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5194. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Chesapeake Bay, Hampton Roads, Virginia [CGD05-03-135] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5195. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety and Security Zones; First Circuit Court Judicial Conference, World Trade Center and Moakley

Federal Courthouse, South Boston, MA [CGD01-03-090] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5196. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Chesapeake Bay, Hampton Roads, Virginia [CGD05-03-136] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5197. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Chesapeake Bay, Hampton Roads, Virginia [CGD05-03-137] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5198. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; North East River, North East, Maryland [CGD105-03-076] (RIN: 0625-AA08) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5199. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Chesapeake Bay, Hampton Roads, Virginia [CGD05-03-138] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5200. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Atlantic Ocean, Assawoman Bay, Ocean City, MD [CGD05-03-077] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5201. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security zone; Chesapeake Bay, Hampton Roads, Virginia [CGD05-03-139] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5202. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Chesapeake Bay, Hampton Roads, Virginia [CGD05-03-140] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5203. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Atlantic Ocean, Ocean City, Maryland [CGD05-03-079] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5204. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Chesapeake Bay, Hampton Roads, Virginia [CGD05-03-141] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5205. A letter from the Chief, Regulations and Administrative Law, USCG, Department

of Homeland Security, transmitting the Department's final rule — Safety Zone; All the waters within the Captain of the Port Wilmington zone as defined by 33 CFR 3.25-20 [CGD05-03-142] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5206. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Port of Hampton Roads [CGD05-03-143] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5207. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Chesapeake Bay and its tributaries [CGD05-03-144] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5208. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Delaware River and Bay, Schuylkill River, C&D Canal to the Maryland and Delaware border, coastal waters of Delaware, and coastal waters of New Jersey from Cape May to Long Branch [CGD05-03-145] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5209. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Atlantic Ocean, Isle of Wight Bay, Ocean City, Maryland [CGD05-03-080] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5210. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Chesapeake Bay, James River, Newport News, Virginia [CGD05-03-081] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5211. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Paxtuxent River, Solomons, Maryland [CGD05-03-082] (RIN: 1625-AA08) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5212. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Middle River, Baltimore County, Maryland [CGD05-03-083] (RIN: 1625-AA08) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5213. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Atlantic Ocean, Chesapeake & Delaware Canal, Delaware Bay, Delaware River and its tributaries [CGD05-03-085] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5214. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Atlan-

tic Ocean, Chesapeake Bay, Linkhorn Bay, Virginia Beach, Virginia [CGD05-03-086] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5215. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Atlantic Ocean, Chesapeake Bay, Piankatank River, Virginia [CGD05-03-088] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5216. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Atlantic Ocean, Chesapeake Bay, York River, Virginia [CGD05-03-089] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5217. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Atlantic Ocean, Chesapeake Bay, Chickahominy River, Virginia [CGD05-03-087] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POMBO: Committee on Resources. H.R. 3209. A bill to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project (Rept. 108-356). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOBSON: Committee of Conference. Conference report on H.R. 2754. A bill making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes (Rept. 108-357). Ordered to be printed.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

H.R. 1856. A bill to reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and for other purposes, with an amendment; referred to the Committee on Transportation and Infrastructure for a period ending not later than November 21, 2003, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(q), rule X.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 180. Referral to the Committee on Rules extended for a period ending not later than November 21, 2003.

H.R. 1081. Referral to the Committees on Transportation and Infrastructure, Resources, and House Administration for a period ending not later than November 21, 2003.

H.R. 1856. Referral to the Committee on Resources extended for a period ending not later than November 21, 2003.

H.R. 2120. Referral to the Committee on the Judiciary extended for a period ending not later than November 21, 2003.

H.R. 2802. Referral to the Committee on Government Reform extended for a period ending not later than November 21, 2003.

H.R. 3358. Referral to the Committee on the Budget extended for a period ending not later than November 21, 2003.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SCHROCK (for himself, Mr. EVANS, Mr. FROST, Mr. FILNER, Ms. CORRINE BROWN of Florida, Mr. BISHOP of Georgia, Mr. GILLMOR, Mr. ENGLISH, and Mr. KILDEE):

H.R. 3476. A bill to require the Secretary of Defense to develop and implement a plan to provide chiropractic health care services and benefits as part of the TRICARE program; to the Committee on Armed Services.

By Mr. CALVERT:

H.R. 3477. A bill to require the Secretary of the Treasury to mint coins in commemoration of the recipients of the Congressional Medal of Honor; to the Committee on Financial Services.

By Mr. PUTNAM (for himself and Mr. CLAY):

H.R. 3478. A bill to amend title 44, United States Code, to improve the efficiency of operations by the National Archives and Records Administration; to the Committee on Government Reform.

By Ms. BORDALLO (for herself, Mr. ABERCROMBIE, and Mr. CASE):

H.R. 3479. A bill to provide for the control and eradication of the brown tree snake on the island of Guam and the prevention of the introduction of the brown tree snake to other areas of the United States, and for other purposes; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUNNINGHAM (for himself and Mr. HARMAN):

H.R. 3480. A bill to require the construction at Arlington National Cemetery of a memorial to noncitizens killed in the line of duty while serving in the Armed Forces of the United States of America; to the Committee on Veterans' Affairs.

By Mr. LEWIS of Georgia:

H.R. 3481. A bill to amend title XVIII of the Social Security Act to eliminate cost-sharing under the Medicare Program for bone mass measurements; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMEROY (for himself and Mr. OSBORNE):

H.R. 3482. A bill to amend the Food Security Act of 1985 to encourage owners and operators of privately-held farm and ranch land to voluntarily make their land available for access by the public under programs administered by States; to the Committee on Agriculture.

By Mr. UDALL of New Mexico (for himself and Mrs. KELLY):

H.R. 3483. A bill to amend the Small Business Act to establish a temporary loan pro-

gram and a temporary vocational development program for small business concerns owned and controlled by veterans; to the Committee on Small Business.

By Mr. WHITFIELD (for himself, Mr. DREIER, Mrs. JOHNSON of Connecticut, Mr. CASTLE, Mr. STEARNS, Mr. CRENSHAW, Mr. HYDE, Mr. WELLER, Mr. HOSTETTLER, Mr. LEWIS of Kentucky, Mr. BASS, Mr. SMITH of New Jersey, Mrs. MYRICK, Mr. PORTMAN, Ms. PRYCE of Ohio, Ms. HART, Mrs. NORTHUP, Mr. GILCHREST, Mr. UPTON, Mrs. MILLER of Michigan, Mr. PICKERING, Ms. MCCARTHY of Missouri, Mr. LOBIONDO, Mr. EHLERS, Mr. RADANOVICH, Mr. FRELINGHUYSEN, Mr. PETRI, Mrs. BONO, Mr. WALDEN of Oregon, and Mr. WOLF):

H.R. 3484. A bill to amend the Animal Welfare Act to improve the standards for the care and treatment of certain animals, and for other purposes; to the Committee on Agriculture.

By Mr. RANGEL (for himself, Ms. SCHAKOWSKY, Ms. LEE, Ms. WOOLSEY, Mr. OWENS, Ms. CARSON of Indiana, Mr. CLAY, Mr. GRIJALVA, Mr. STARK, Mr. PALLONE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. THOMPSON of Mississippi, Mr. GEORGE MILLER of California, Mr. DAVIS of Illinois, Ms. SOLIS, Mr. DOGETT, Mr. BROWN of Ohio, Mr. NADLER, Ms. WATERS, Mr. MEEKS of New York, Mr. MCDERMOTT, Ms. WATSON, Mr. FRANK of Massachusetts, Mr. KUCINICH, Mr. GUTIERREZ, and Ms. KAPTUR):

H. Con. Res. 323. Concurrent resolution urging the President to immediately request the resignation of Secretary of Defense Donald Rumsfeld; to the Committee on Armed Services.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 58: Mrs. CAPPS.
H.R. 195: Mr. EHLERS.
H.R. 198: Mr. HEFLEY.
H.R. 235: Mr. WAMP.
H.R. 303: Mr. CRANE.
H.R. 371: Mr. BERRY, Mr. NADLER, and Mr. TOWNS.

H.R. 426: Mr. HEFLEY.
H.R. 523: Mr. NEUGEBAUER.
H.R. 525: Mr. BARTLETT of Maryland, Ms. MCCOLLUM, Ms. WATERS, Ms. SLAUGHTER, Mrs. BIGGERT, Mr. OSE, Mr. TIAHRT, Mr. SMITH of Washington, Mr. GREEN of Wisconsin, Mr. HYDE, Mr. WICKER, Mr. WOLF, Mr. KINGSTON, Mr. HAYWORTH, Mr. HOBSON, Ms. HARMAN, Mr. LEWIS of California, Mr. SHAYS, Mr. COBLE, Mr. GOODLATTE, Mr. WAMP, Ms. GINNY BROWN-WAITE of Florida, Mr. TAUZIN, and Mr. BLUMENAUER.

H.R. 548: Mr. LEWIS of Oregon.
H.R. 645: Mrs. DAVIS of California, Mr. MARSHALL, Mr. PRICE of North Carolina, and Mr. MOORE.

H.R. 713: Mr. HALL, Mr. JANKLOW, and Mrs. JONES of Ohio.

H.R. 727: Mrs. CAPPS.
H.R. 791: Mr. CRANE.
H.R. 834: Mr. INSLEE.
H.R. 857: Ms. BERKLEY.
H.R. 956: Mr. MORAN of Virginia.
H.R. 962: Mr. SERRANO.
H.R. 996: Mr. ORTIZ.
H.R. 1068: Mr. MICHAUD.
H.R. 1206: Mr. FRANKS of Arizona.
H.R. 1229: Mr. CANTOR.
H.R. 1258: Mr. FARR.
H.R. 1279: Mr. MILLER of North Carolina.

H.R. 1372: Mr. COLE and Mr. CAPUANO.
H.R. 1448: Ms. LEE.
H.R. 1469: Mr. GRIJALVA.
H.R. 1600: Mr. CUMMINGS and Mr. GRIJALVA.
H.R. 1684: Ms. HARMAN and Mr. EMANUEL.
H.R. 1708: Mr. HILL.
H.R. 1895: Mr. EMANUEL, Mr. FROST, Mr. GONZALEZ, Mr. GRIJALVA, and Ms. JACKSON-LEE of Texas.
H.R. 1910: Mr. ORTIZ and Mr. GIBBONS.
H.R. 2045: Mr. CAMP.
H.R. 2127: Ms. BORDALLO.
H.R. 2193: Ms. MILLENDER-MCDONALD.
H.R. 2217: Mr. FILNER, Mr. GUTIERREZ, Ms. LEE, Mr. COSTELLO, Mr. GREEN of Wisconsin, Ms. JACKSON-LEE of Texas, Ms. NORTON, Mr. CROWLEY, Ms. LOFGREN, Mr. MARKEY, Mr. ROTHMAN, Mr. HINOJOSA, Mr. SANDERS, Ms. CARSON of Indiana, and Mr. THOMPSON of Mississippi.

H.R. 2246: Mr. ACKERMAN, Mr. STENHOLM, Mrs. MALONEY, Mr. SCOTT of Georgia, Mr. PRICE of North Carolina, Ms. SLAUGHTER, Mr. WEINER, Mr. MEEKS of New York, Mr. WALSH, Mr. NADLER, Mr. MILLER of North Carolina, Ms. CARSON of Indiana, Mr. NORWOOD, Mr. VISCIOSKY, and Mr. SANDLIN.

H.R. 2256: Ms. NORTON and Mr. OLVER.
H.R. 2490: Mr. VAN HOLLEN.
H.R. 2511: Mr. SANDERS.
H.R. 2569: Mr. LEWIS of Georgia and Mr. OBERSTAR.

H.R. 2662: Mr. SIMMONS.
H.R. 2719: Mr. BILIRAKIS.
H.R. 2720: Mr. RAMSTAD, Mr. SABO, and Mr. WELDON of Pennsylvania.
H.R. 2823: Mr. GREEN of Wisconsin, Mr. WHITFIELD, and Mr. SNYDER.

H.R. 2829: Ms. CARSON of Indiana.
H.R. 2900: Mr. BURGESS.
H.R. 2944: Mr. SCHROCK and Mr. HEFLEY.
H.R. 2946: Mr. FERGUSON.
H.R. 2959: Mr. ABERCROMBIE, Ms. MILLENDER-MCDONALD, and Mr. MICHAUD.

H.R. 3015: Mr. EVANS.
H.R. 3035: Mr. GRIJALVA.
H.R. 3109: Mr. BASS, Mr. BEAUPREZ, Mrs. BLACKBURN, Mr. BOEHNER, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Ms. GINNY BROWN-WAITE of Florida, Mr. BURGESS, Mr. CARTER, Mr. CHOCOLA, Mr. CRANE, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. DEMINT, Mr. DOOLITTLE, Mr. ENGLISH, Mr. FEENEY, Mr. FERGUSON, Mr. FOLEY, Mr. FORBES, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GARRETT of New Jersey, Mr. GERLACH, Mr. GILCHREST, Mr. GREENWOOD, Mr. HAYWORTH, Mr. HERGER, Mr. ISAKSON, Mr. ISSA, Mr. JOHNSON of Illinois, Mr. KELLER, Mrs. KELLY, Mr. LATHAM, Mr. McKEON, Mr. MANZULLO, Mr. MICA, Mr. MILLER of Florida, Mrs. MUSGRAVE, Mr. NETHERCUTT, Mr. OSBORNE, Mr. PEARCE, Mr. PENCE, Mr. PORTER, Mr. REHBERG, Mr. RENZI, Mr. ROGERS of Michigan, Mr. ROGERS of Alabama, Mr. SESSIONS, Mr. SHAYS, Mr. SHERWOOD, Mr. TANCREDI, Mr. TIAHRT, Mr. TURNER of Ohio, Mr. UPTON, Mr. WALSH, Mr. WELDON of Florida, Mr. WHITFIELD, and Mr. YOUNG of Alaska.

H.R. 3119: Mr. MOORE, Mr. MORAN of Kansas, Mr. BURTON of Indiana, and Mr. PENCE.

H.R. 3125: Mr. SOUDER.
H.R. 3130: Mr. ISTOOK.
H.R. 3142: Mrs. KELLY, Mr. NUSSLE, Mr. SERRANO, Ms. MCCOLLUM, Mr. SHERWOOD, Ms. LORETTA SANCHEZ of California, Mr. BOYD, and Mr. LEACH.

H.R. 3165: Mr. OWENS and Mr. BURNS.
H.R. 3178: Mr. SANDLIN, Ms. KILPATRICK, Mr. DEFazio, Mrs. KELLY, Mr. ENGLISH, Mr. WAXMAN, Mr. MICHAUD, Mrs. JO ANN DAVIS of Virginia, and Mr. PEARCE.

H.R. 3180: Mr. COSTELLO.
H.R. 3184: Mr. FOLEY.
H.R. 3193: Mr. CHABOT, Mr. STEARNS, Mr. THORNBERRY, and Mr. GARRETT of New Jersey.

H.R. 3215: Mr. CALVERT, Mr. DUNCAN, Mr. TAYLOR of North Carolina, and Mr. VITTER.

H.R. 3227: Mrs. TAUSCHER and Mr. SERRANO.
 H.R. 3228: Mr. WILSON of South Carolina.
 H.R. 3242: Mr. WILSON of South Carolina and Mr. KILDEE.
 H.R. 3243: Mr. HOUGHTON.
 H.R. 3251: Mrs. JONES of Ohio.
 H.R. 3275: Ms. NORTON, Ms. MCCOLLUM, and Ms. WOOLSEY.
 H.R. 3292: Ms. LEE, Mr. UDALL of New Mexico, and Mr. GREEN of Texas.
 H.R. 3344: Mr. GOODE, Mr. JACKSON of Illinois, and Mr. DOGGETT.
 H.R. 3350: Mr. CASTLE.
 H.R. 3370: Mr. KILDEE, Mr. McNULTY, and Ms. BERKLEY.
 H.R. 3380: Mr. BURR, Mr. MCINTYRE, Mr. PRICE of North Carolina, and Mr. MILLER of North Carolina.
 H.R. 3385: Mr. BARRETT of South Carolina.
 H.R. 3416: Ms. MILLENDER-McDONALD, Mr. FARR, Mr. MENENDEZ, Ms. SOLIS, Mr. McDERMOTT, Ms. LEE, Mr. GREEN of Texas, Mr. CONYERS, and Mr. CROWLEY.
 H.R. 3424: Mr. GRIJALVA and Mr. HINCHEY.

H.R. 3425: Mr. GONZALEZ, Mrs. MALONEY, Mr. GUTIERREZ, Ms. MILLENDER-McDONALD, Mr. KILDEE, and Mr. GRIJALVA.
 H.R. 3438: Ms. KILPATRICK, Mr. GRIJALVA, Mr. SHAW, and Mr. ACKERMAN.
 H.R. 3440: Mr. MCGOVERN, Mr. EDWARDS, Mr. CARDOZA, Mr. RAHALL, Mrs. MALONEY, and Mrs. TAUSCHER.
 H.J. Res. 37: Mr. KIRK.
 H. Con. Res. 60: Mr. VITTER.
 H. Con. Res. 98: Mr. MICA.
 H. Con. Res. 196: Mr. MICHAUD.
 H. Con. Res. 247: Mr. FLETCHER.
 H. Con. Res. 254: Mr. KUCINICH.
 H. Con. Res. 285: Mr. MICHAUD.
 H. Con. Res. 298: Mr. WAMP, Mr. MATHESON, and Mr. FOLEY.
 H. Res. 157: Mr. SHAYS and Mr. EHLERS.
 H. Res. 354: Mr. GRIJALVA.
 H. Res. 382: Mr. BLUMENAUER.
 H. Res. 393: Mrs. LOWEY and Mr. EHLERS.
 H. Res. 408: Mr. KINGSTON.
 H. Res. 412: Mr. CALVERT.
 H. Res. 427: Mr. HYDE, Mr. LANTOS, Ms. ROS-LEHTINEN, Mr. ROHRABACHER, Mr. GREEN

of Texas, Mr. WEXLER, Mr. DELAHUNT, Mrs. JO ANN DAVIS of Virginia, Ms. WATSON, Mr. McNULTY, Mr. BERMAN, Mr. CROWLEY, Mrs. NAPOLITANO, Mr. SCHIFF, and Mr. HOEFFEL.
 H. Res. 431: Mr. GIBBONS.
 H. Res. 432: Mrs. MALONEY, Ms. MILLENDER-McDONALD, Ms. NORTON, Mr. SERRANO, Mr. FARR, Ms. BERKLEY, Ms. WATSON, and Ms. LEE.

DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 4, by Ms. DARLENE HOOLEY on House Resolution 398: Harold E. Ford, Jr., Luis V. Gutierrez, Brad Miller, Bart Stupak, Collin C. Peterson, Richard E. Neal, Ralph M. Hall, and Charles W. Stenholm.